

# LICENSING SUB COMMITTEE HEARING



## AGENDA

**Date:** Wednesday 6th September 2023

**Time:** 12.00 noon

**Venue:** Council Chamber, Causeway House, Bocking End, Braintree CM7 9HB

### Membership:

Councillor J Baugh
Councillor G Prime
Councillor W Taylor
Councillor R Wright

**Members are requested to attend this meeting, to transact the following business:-**

1. **Appointment of Chairman.** To appoint a Chairman to conduct the business of this Hearing.
2. **Apologies for Absence.**
3. **Declarations of Interests.** To declare the existence of any interests relating to Items on the Agenda having regard to the Code of Conduct for Members and having taken appropriate advice (where necessary) before the meeting.
4. To consider an application under the Licensing Act 2003 for the Variation of the Club Premises Certificate in respect of **COGGESHALL CONSERVATIVE CLUB, 32 CHURCH STREET, COGGESHALL CO6 1TX** (Report and application attached).

If you require any further information relating to this Agenda, or you wish to forward your apologies for absence, please contact the Governance Team on (01376) 552525 or e-mail [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

Dan Gascoyne  
Chief Executive

## Agenda Item: 4

<b>Report Title: APPLICATION FOR A VARIATION OF A CLUB PREMISES CERTIFICATE - COGGESHALL CONSERVATIVE CLUB, COGGESHALL</b>	
<b>Report to:</b> Licensing Sub-Committee	
<b>Date:</b> 6 <sup>th</sup> September 2023	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> N/A
<b>Report Presented by:</b> John Meddings, Principal Licensing Officer	
<b>Enquiries to:</b> John Meddings, Principal Licensing Officer	

### 1. Purpose of the Report

1.1 Members of the Licensing Sub-Committee are requested to consider an application for the **variation** of a Club Premises Certificate having regard to the representations received and the requirement to promote the four licensing objectives:

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

### 2. Summary of Application

#### 2.1 Premises

Coggeshall Conservative Club  
32 Church Street  
Coggeshall  
Colchester  
Essex  
CO6 1TX

#### 2.2 Applicant

Mr William Mills of the Coggeshall Conservative Club

#### 2.3 Application

An application was received from Mr William Mills on behalf of Coggeshall Conservative Club on 29<sup>th</sup> June 2023 for the **variation** of the Club Premises Certificate for Coggeshall Conservative Club, Coggeshall, Essex, CO6 1TX.

2.4 The application was deemed valid on 19<sup>th</sup> July 2023.

- 2.5 The variation application seeks to add off sales to the Club Premises Certificate and increase the licensed area to cover an external area as detailed on the plan (Appendix 2).
- 2.6 The applicant has detailed several steps within the operating schedule to promote the four licensing objectives.
- 2.7 The application has been properly made in accordance with the Licensing Act 2003, a notice of variation was displayed at the premises and in a locally circulated publication. The completed application form is attached as Appendix 1 and the plan (Appendix 2).
- 2.8 If the application to vary the existing Club Premises Certificate is granted to allow the off sales Section 73 of the Licensing Act 2003 would apply (set out below):

***73 Certificate authorising supply of alcohol for consumption off the premises***

*(1) A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.*

*(2) A club premises certificate which authorises the supply of alcohol for consumption off the premises must include the following conditions.*

*(3) The first condition is that the supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.*

*(4) The second condition is that any alcohol supplied for consumption off the premises must be in a sealed container.*

*(5) The third condition is that any supply of alcohol for consumption off the premises must be made to a member of the club in person.*

**3 Representations**

- 3.1 The Section 182 Guidance for the Licensing Act 2003 states that, relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.
- 3.2 During the 28 day statutory consultation period, the Licensing Authority received twenty three (23) representations from interested parties (Appendix 3). All written representations and their accompanying documents are set out in the Appendix. One video was received which accompanies the representation of Wright and Elmes. This has been provided to the applicant and the Members of the Licensing Sub-Committee.

- 3.3 The representation from A Blouet was originally received during the consultation period. However, the original handwritten representation was only partially scanned, in error. To avoid the interested party being disadvantaged they were given the opportunity to include the missing information prior to the writing of this report. This addition is included along with the original partially scanned representation.
- 3.4 Essex Police have also agreed several changes and conditions with the applicant during the consultation period regarding the outdoor seating area (Appendix 4).
- 3.4 The proposed changes agreed between the applicant and Essex Police mean the application will **no longer be seeking to increase the licensable area to cover the external area as highlighted on the plan supplied as part of the application** (Appendix 2).
- 3.5 This would also mean that if the application was granted no licensable activities could take place in the external areas as set out in the original application to vary to existing Club Certificate.
- 3.6 The applicant, in agreeing to the Essex Police conditions and amendments, has identified an area for the consumption of alcohol. This is shown as the blue area on the plan (Appendix 5). If approved this would enable Members of the Club to consume “off sales” in that area.
- 3.7 Consumption of alcohol is **not a licensable activity**, but the club premises certificate holder would still be required to promote the licensing objectives during ancillary activities, such as consumption. This is detailed in paragraph 16.52 of the Revised Guidance issued under section 182 of the Licensing Act 2003 (August 2023)

*16.52 If appropriate for the promotion of the licensing objectives, and if there is a link to remaining licensable activities, conditions that relate to non-licensable activities can be added to or altered on that premises licence or club premises certificate at review following problems occurring at the premises. This has been a feature of licence conditions since the 2003 Act came into force. A relevant example could be the use of conditions relating to large screen broadcasts of certain sporting events which, combined with alcohol consumption, could create a genuine risk to the promotion of the licensing objectives. It is also not uncommon for licence conditions relating to the sale of alcohol to restrict access to outside areas, such as unlicensed beer gardens, after a certain time.*

- 3.8 If the application is granted, off sales can only be made to ‘bona fide’ Club Members (not guests of the Club) and those “off” sales can only be made in a sealed container.

#### **4. Complaints**

- 4.1 The Environmental Health Team have no recent history of complaints regarding noise at the premises prior to the submitting of this application.
- 4.2 Several of the representations refer to a meeting held involving the Licensing Authority.
- 4.3 The Licensing Team have previously been involved in mediation between residents and Coggeshall Conservative Club. On 29<sup>th</sup> June 2022 a meeting was held at the club between residents and representatives from Coggeshall Conservative Club and was attended by a representative from the Licensing Authority. The meeting was an opportunity for the residents to put forward their concerns and an attempt to find a successful resolution to any issues. The meeting was constructive and detailed several improvement points taken on board by the Club for action. This also led to establishing a social media group which would allow for dialogue between the involved parties.
- 4.4 The Licensing Team prior to this application and following the above meeting had not received any complaints regarding the premises. Following the application being advertised several residents have raised previously unreported issues regarding noise and the management of the premises. Residents have been advised that future concerns should be reported to the relevant authorities to evidence their concerns.

## **5. Statement of Licensing Policy**

The following extracts from the Council's statement of licensing policy are brought to the attention of members of the Licensing Sub-Committee:

- (1.2) When assessing applications, other than Personal Licences, the Licensing Authority must be satisfied that the measures proposed in the applicant's operating schedule aim to achieve the four licensing objectives.*
- (1.6) In respect of each of the four licensing objectives, applicants will need to provide evidence to the Licensing Authority that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style and characteristics of their premises and events. Reference will need to be made to whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended to, or likely to attract, larger audiences.*
- (1.19) When considering applications, the Licensing Authority will have regard to:*
- the Licensing Act 2003, as amended and the licensing objectives,*
  - Government guidance issued under Section 182 of the Licensing Act 2003, as amended.*
  - any supporting regulations*

- *this statement of licensing policy*

*(1.20) This does not however undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.*

*(1.21) When the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation. In particular, its licensing functions will be discharged separately from its functions as the local planning authority.*

*(1.31) Licensing is about the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licences within the terms of the 2003 Act. Where relevant representations are made, the Licensing Authority will seek to make objective judgements as to whether conditions may need to be attached to various authorisations and others in possession of relevant authorisations, to secure achievement of the licensing objectives. Any conditions arising from the operating schedule or as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the area concerned and will cover matters that are within the control of individual licensees.*

*(1.34) The Licensing Authority recognises that all applications should be considered on an individual basis and any condition attached to such a Licence will be tailored to each individual premise, in order to avoid the imposition of disproportionate and other burdensome conditions on those premises. Standard conditions, other than mandatory conditions, will therefore be avoided and no condition will be imposed that cannot be shown to be necessary for the promotion of the licensing objectives.*

## **6. Options**

6.1 Members are advised they have the following options when determining the application for the variation of the Club Premises Certificate held by the Coggeshall Conservative Club.

- a) To Grant the application to vary the Club Premises Certificate with conditions as described within the operating schedule to the Club Premises Certificate application.
- b) To Grant the application to vary a Club Premises Certificate with additional conditions deemed necessary to promote the four licensing objectives.

c) To Grant the application to vary a Club Premises Certificate with amended activities or times.

d) To Refuse the application to vary a Club Premises Certificate.

6.2 The Licensing Sub-Committee is required to give full reasons for its decision.

6.3 The Sub-Committee is reminded that the applicant or any person making a representation in relation to this application may appeal against the decision of the Council to the Magistrates' Court.

## **7. Financial Implications**

None arising from this report.

## **8. Legal Implications**

The Licensing Sub-Committee has a legal duty to determine this application to vary the Club Premises Certificate under the Licensing Act 2003. In determining the application, the Licensing Sub-Committee is required to give reasons for its decision and any party who is dissatisfied may appeal to the Magistrates Court within 21 days. If such an appeal is made by the Club Premises Certificate holder, then the decision of the Licensing Sub-Committee is stayed until such time as an appeal is heard and determined.

## **9. List of Appendices**

Application – Appendix 1

Application Plan – Appendix 2

Representations – Appendix 3

Essex Police agreed conditions – Appendix 4

Consumption Area Plan -Appendix 5

Club Premises Certificate – Appendix 6

## **10. Background Papers**

[Braintree District Council's Licensing Act Policy Statement](#)

[Licensing Act 2003](#)

[Guidance issued under Section 182 – August 2023.](#)



**Braintree**  
**Application for a variation to a club premises**  
**certificate**  
**Licensing Act 2003**

For help contact  
[Licensing@braintree.gov.uk](mailto:Licensing@braintree.gov.uk)  
 Telephone: 01376 557790

\* required information

### Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

\* Is your business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name  If your business is registered, use its registered name.

\* VAT number   Put "none" if you are not registered for VAT.

\* Legal status



*Continued from previous page...*

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 18**

**APPLICATION DETAILS**

Club premises certificate number

Name of club

The above named club applies for a club premises certificate under section 84 of the Licensing Act 2003 for the premises named in this section 2 below.

**Club Premises Address**

Address     OS map reference     Description

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

### Club Premises Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

- Yes  No

E-mail

Telephone number

Other telephone number

### Name Of Person Performing Duties Of A Secretary To The Club

First name

Family name

### Address Of Person Performing Duties Of A Secretary To The Club

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Secretary Contact Details

E-mail

Telephone number

Other telephone number

## Section 3 of 18

### VARIATION

Do you want the proposed variation to have effect as soon as possible?

- Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

- Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

*Continued from previous page...*

If the club's proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

N/A

**Describe Briefly The Nature Of The Proposed Variation**

Describe the premises, For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for people to consume these off-supplies, please include a description of where this will be and its proximity to the premises.

Grade II listed building. Bar area, kitchen and toilets located on ground floor, snooker room, storage room, club office and rental office with kitchen and toilets to first floor, rental offices to second floor.

Variation to the premises certificate to include an outdoor area within the club carpark. (Area shown red on attached plan.)

**Section 4 of 18**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will there be a change to the provision of plays?

- Yes  No

**Section 5 of 18**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will there be a change to the provision of films?

- Yes  No

**Section 6 of 18**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will there be a change to the provision of indoor sporting events?

- Yes  No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will there be a change to the provision of boxing or wrestling entertainments?

- Yes  No

**Section 8 of 18**

**PROVISION OF LIVE MUSIC**

Continued from previous page...

[See guidance on regulated entertainment](#)

Will there be a change to the provision of live music?

Yes  No

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will there be a change to the provision of recorded music?

Yes  No

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will there be a change to the provision of performances of dance?

Yes  No

**Section 11 of 18**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will there be a change to the provision of anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 12 of 18**

**SUPPLY OF ALCOHOL**

Will there be changes to the supply of alcohol by or on behalf of a club to, or to the order of a member of the club?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the supply of alcohol be for consumption?

- On the premises       Off the premises       Both

If the club wishes members and their guests to be able to consume alcohol on the premises tick on, if the club wishes people to be able to purchase alcohol to consume away from the premises tick off. If the club wishes people to be able to do both tick both

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Proposal is for the variation to be for 7 months of the year from 1st April through to 31st October: 12:00 - 20:00.

Non-standard timings. Where the club intends to use the premises for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 13 of 18**

**HOURS CLUB PREMISES ARE OPEN TO THE MEMBERS AND GUESTS**

Will there be changes to the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place?

- Yes       No

Continued from previous page...

**Section 14 of 18**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the club premises that may give rise to concern in respect of children.

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

**Section 15 of 18**

**CURRENT CONDITONS**

Identify those conditions currently imposed on the certificate which you believe could be removed as a consequence of the proposed variation you are seeking

Give details here.

N/A

I will be submitting the club premises certificate

I will be submitting the relevant part of the club premises certificate

**Section 16 of 18**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

The committee shall ensure that the outside areas of the premises are lit when in use and the lighting suitably maintained.

b) The prevention of crime and disorder

Admission to the club premises shall be restricted to members and bona fide guests. Persons who behave in a drunk or disorderly manner shall be refused the supply of alcohol. Any incidences of misconduct shall be reported to the committee to consider action under the club's disciplinary code.

c) Public safety

Suitable preventative and control measures shall be put in place and reviewed regularly to ensure the safety of members, guests, employees and entertainers whilst on the premises. The committee shall comply with any current capacity limits.

*Continued from previous page...*

d) The prevention of public nuisance

Clear, legible notices shall be displayed at all exits from the premises requesting patrons to respect the local residents and to leave the premises and area quietly.  
When live or recorded music is played, all reasonable steps shall be taken to avoid disturbance to neighbouring properties.

e) The protection of children from harm

Children under the age of 18 shall only be permitted on the premises when accompanied by an adult member.  
Young adults applying for membership shall satisfy the committee that they are over the age of 18.

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.



Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 17 of 18

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

\* Fee amount (£)

### DECLARATION

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/club-licensing/braintree/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

*Continued from previous page...*

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
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Blue – Land owned by Coggeshall Conservative  
Red – Land Coggeshall Conservative to add to Club Premises Certificate

From angela blouet < REACTED >  
Subject **Re: Letter of representation to application 23/01496/LAFULC**  
To Licensing <licensing@braintree.gov.uk>  
Date 21 August 2023 12:41:51 BST

To whom it may concern.

Dear sir,

I would like to make a very strong objection to the further issuing of a license to the Conservative Club and would like you to note the objections made in my letter of 31st July. It would have a very detrimental effect on the surrounding houses and would cause a great deal of noise, unruly behaviour and subsequently a very real problem with rats.

My objections were made in my handwritten letter of 31st July and I very sincerely make them again.

Yours faithfully,

Angela Blouet.

On Mon, 21 Aug 2023 at 11:26, Licensing <[licensing@braintree.gov.uk](mailto:licensing@braintree.gov.uk)> wrote:

Good morning Ms Blouet,

As we are in the process of compiling a report regarding the above application, could we please ask, if you have a copy of your original letter sent to us, are you able to send via email for us to include?

Kind regards

Licensing Team

Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB

\* 01376 557790 [licensing@braintree.gov.uk](mailto:licensing@braintree.gov.uk)

[REDACTED]

F.A.O. Licensing Officer  
Bramtree District Council  
Causeway House,  
Bocking End  
Bramtree CM7 9HB.  
Essex

27/7/2023

BDC Ref 23/01496/LA/FULC.

Dear Sir,

I would object very strongly about this application.

It will be extremely obtrusive to near neighbours, it will cause a public nuisance be very likely to cause nuisance.

From becky glover <REDACTED>  
Subject **BDC Reference 23/01496/LAFULC**  
To Licensing <licensing@braintree.gov.uk>  
Date 02 August 2023 17:32:50 BST

FAO Licensing Officer:

I am writing to oppose the proposed beer garden in the Conservative Club car park.

When this happened previously there were several negative consequences that impacted residents in close proximity to the club; including disruptive noise, as well rats as a result of the food waste that was discarded.

I live a few doors down on the same side of the street and am seriously concerned about this proposal. Very clearly the opening of a beer garden would result in public nuisance due to noise levels. Additionally, I am worried about unruly behaviour potentially leading to increased crime and a risk to public safety. It will very likely attract rats, which is also a public safety risk.

We already have at least 4 pubs/restaurants/bars in the village with beer gardens, so another is completely unnecessary.

I would like my strong objection to this proposal on record and would be happy to discuss further if required.

Regards,

Becky Glover  
REDACTED CO6 1TX

From Lydi Martin <REDACTED>  
Subject **BDC Reference 23/01496/LAFULC**  
To Licensing <licensing@braintree.gov.uk>  
Date 31 July 2023 09:55:24 BST

For the attention of the Licensing Officer re Conservative Club, Church St, Coggeshall application for outdoor license

I write to object to the above referenced application on the grounds of the potential noise that this extension will undoubtedly create. As a near neighbour I am concerned that offering outdoor alcohol consumption the amount of clients will increase during the warmer months and this will in turn generate greater noise and disruption at a time that we all want to enjoy our gardens and outdoor spaces without rowdy background interruptions.

This additional influx of custom will lead to more rubbish being generated, more traffic as well as more noise.

Mrs E Martin  
REDACTED  
CO6 1TY

Representation by Timothy Wright, Dervorgilla Elmes, William Wright, Florence Wright, Francis Wright  
REDACTED,

CO61TX

Reference: 23/01496/LAFULC

Applicant(s): Coggeshall  
Conservative Club

Premises Address:  
32 Church Street  
Coggeshall  
Colchester  
Essex  
CO6 1TX  
12/08/2023

## **1.Factual error in the license application**

Please review the email sent to Braintree licensing on Thursday, August 3rd, at 6:03 PM, which contains an attached letter addressing a discrepancy within the plan drawings provided by the Conservative Club as part of their application. The plans presented in the document "Conservative Club – Application to vary a premises licence - plan 19.07.23.docx" display inaccuracies. Refer to the image below for clarification. The space between the red hash markings running down the centre of their plan corresponds to our driveway, which is privately owned. Whether intentional or not, the Conservative Club has enlarged the smaller of the two external red hashed areas on the left-hand side of the driveway. This area has been highlighted in yellow for reference. We refrain from marking the exact position of the driveway to prevent any misrepresentation, but it is evident that the depiction on the Conservative Club's drawing is incorrect.

This detail is significant as it pertains to an area where Club members currently gather to smoke. We find it unacceptable that sections of our property have been encompassed within the red area of the plan and are being presented as part of the Club's proposed licensed area. This level of precision is of utmost importance. While it may not concern the Conservative Club, they seem to treat our driveway and property as if it were their own. However, including portions of our driveway as if it belongs to them is unacceptable. We firmly believe that a certain level of accuracy, particularly concerning property ownership, should be upheld by the Club prior to submitting their application. If the Conservative Club Committee remains uncertain about their property boundaries, how can they expect their members to understand where they are permitted to consume alcohol?

In 2021, when the Conservative Club applied for an outside beer garden, their initial submission inaccurately depicted our entire driveway as part of their licensable property. Upon recognizing this error, they promptly corrected the mistake and resubmitted their plan. This highlighted back then, and it appears that a similar situation has arisen this time, that it



falls upon us as neighbours to effectively oversee these matters by reviewing and performing the tasks that a Committee member should have been responsible for from the outset. Our minimum expectation would be for the Conservative Club to collaborate with us, especially considering the history of incidents that have occurred in the past.

***Access to proposed outside licensed area.***

Please take note that club members cannot access either of the red-hashed designated external drinking areas without crossing onto our private property. These proposed outdoor licensed zones are entirely disconnected from the Conservative Club. The designated area within the car park is situated out of sight from the club and patrons consuming alcohol will remain concealed from the back door of the Club. This door serves as the access and exit point of the Club to the proposed beer garden.

**2. Prevention of crime and disorder, prevention of public nuisance, public safety, protection of children from harm.**

***Lack of management, oversight, control or responsibility.***

The key message we wish to emphasize is the absence of a responsible individual overseeing the situation and the lack of accountability. To our knowledge, the Committee does not comprise any full-time paid positions. This historical context has proven problematic when alcohol consumption has been confined within the Club premises. Now, the Conservative Club aims to extend alcohol service to an outdoor setting. However, there is no evident method for effectively supervising or managing this change. Compounding this concern is the fact that the proposed drinking area is significantly distanced from the Club itself. Remarkably, our children's bedrooms are closer to the beer garden than the Club's rear entrance. This situation raises questions about the potential disturbance, considering the bar manager would likely be less affected than our teenage son and daughter. (Perhaps we could suggest they take on the role of monitoring on behalf of the Conservative Club.)

The most worrisome aspects highlighted by this application is the perceived lack of oversight and accountability demonstrated by the members of the Conservative Club's committee. Given their sporadic presence at the club and their part-time, voluntary roles, uncertainties arise regarding their ability to responsibly manage drinking and nuisance behaviour. This situation raises valid concerns about potential risks to public safety and the community's welfare. It is concerning that these committee members, whose experience in bar management may be comparable to that of an average resident, advocate for extending alcohol service to an outdoor beer garden. Their amateur standing in this pivotal role poses a notable risk to public safety and the quality of life for local residents and families.

The Conservative Club has experienced frequent shifts in its committee leadership, contributing to difficulties in maintaining consistent management and oversight. This constant flux raises legitimate concerns about their capacity to effectively supervise the business of running a pub/nightclub (It is open till 2am on weekends).

A prime illustration can be seen in the way smoking is handled. When smoking laws underwent changes, an arrangement was reached between the Conservative Club committee and ourselves to accommodate this transition. Our correspondences with the Con Club reflect the details of this agreement (as evidenced below). While an option could have been pursued to have smokers use the front of the building on the street, potentially disturbing more residents and making it less pleasant for the smokers, we opted for

compromise. It was mutually decided that smokers could utilize our driveway beneath the coach arch, providing shelter from the weather and positioning them further away from our front doors and bedrooms. The club took the initiative to display signage explicitly indicating this area. Unfortunately, this arrangement is consistently disregarded, and smokers opt to smoke wherever they choose outdoors. Despite our expressions of concern, the Conservative Club never takes measures to monitor or enforce compliance with this arrangement. Left unchecked, these infractions tend to escalate unless we take action. It is challenging to convey the emotional strain this imposes on us, knowing that unless we meticulously document and report each instance of violation, this behaviour continues without consequences. We perceive that the Club's stance is that since we're the ones opposing anti-social behaviour, it's our responsibility to manage it. This view is probably reinforced by the fact that we are present on-site around the clock, unlike committee members who are scarcely there, if at all.

Moreover, in June of last year, the Conservative Club committee extended an invitation to residents for a dialogue, culminating in a meeting. Six households recognized the significance of this engagement and participated with the intention of finding agreeable resolutions. The goal was to collaboratively address the issues the club was failing to manage – namely, consistent disturbances, anti-social behaviour, and public nuisance. The meeting was attended by John Meddings from Braintree licensing along with the Club Chair and secretary and other members of the committee. Minutes of the meeting were compiled, both by the club (Minutes 29.06.22.pdf) and ourselves (Tims minutes June 2022 Con club.docx – see attachments). The Club presented a list of 10 recommendations, encompassing initiatives such as designating a responsible committee member, relocating smokers to the specified area, and effectively addressing noise and public nuisance concerns. However, regrettably, as of June 26, 2023, only one of their recommendations has been put into action. The club have even acknowledged this through correspondences. Evidently, the club is now under new management, and based on our received correspondence, it appears they do not intend to genuinely uphold these recommendations. See attachments

I have correspondence from 2008 when almost exactly the same happened. The club made promises about maintaining proper management and oversight but was unable to sustain this because it simply does not have the resources to do so.

In short the club is run by amateurs, who are not present, who have no experience in this type of work or this level of responsibility and who are voted into position every year. With this yearly change in personnel comes a disregard of measures to mitigate public nuisance and public safety, measures put in place by previous committees. We have plenty to evidence this and we can demonstrate the clubs disregard for its own rules and regulations put in place to manage poor behaviour.

### ***Welfare of our family/our community.***

The proposed beer garden location is surrounded on all four sides by private residents and falls within a conservation area. Our property creates the boundary on one side. (Please see enclosed photograph 1). There are 7 neighbours whose properties directly abut the car park and whom will be immediately affected. At least half a dozen more who are within 10 m of the boundary.



As evident from the layout, the proposed beer garden is notably separate from the club entrance, lacking a clear line of sight. Access to the car park/beer garden area is only possible through a narrow 3-meter gap, and aside from this opening, the entire perimeter is surrounded by private residents. It's worth noting that the club property itself does not directly adjoin the car park/proposed beer garden area and maintains a significant distance from it. Unfortunately, the area lacks proper illumination, and the limited lighting available is affixed to the side of our house.

Fronting our property is our drive, which constitutes the courtyard at the rear of the Conservative Club. Regrettably, this area has become effectively claimed by smokers, creating a situation where we must navigate through the back of the club to access our own property. Throughout all hours of the day and night, individuals gather outside. During functions, congregations form, particularly during the summer months.

Significantly, the sole access to our house, as well as for the occupants of No. 2 The Mews, involves going through the coach arch entrance on the main road Church Street and passing by the back entrance of the Conservative Club. Consequently, contact with club members congregating outside becomes inevitable. Notably, the smokers congregating near the back door compromise our privacy and have even engaged in past instances of intimidation due to our objections to their anti-social behaviour.

Furthermore, our family includes three children, two of whom have bedroom windows that directly overlook the car park, located within a mere couple of meters from the proposed beer garden area.

We have witnessed inappropriate behaviour, including foul language and discussions of an adult nature including conversations of a highly sexual nature and about taking drugs. We

have witnessed fights and domestic rows. This is all outside of the Club over a period where in theory (though not in practice!) alcohol consumption has been restricted to inside. Some of this behaviour we have on video, and some is documented in correspondence with the Club

In the past the police have been involved and the club have been asked to deal with sexual harassment accusations against patrons drinking and drunk outside. We have had drunk patrons knocking at my door late at night to try to reason with us that we should stop taking issue with their behaviour. All of this is documented.

We believe the Club have not taken any of this into consideration. They have not spoken to us as neighbours and are generally antagonistic towards us.

There is already a self-imposed restriction placed on them to move up under the coach arch out of sight of No.1 and No.2 the Mews, as described earlier. The Club have conceded they cannot manage this and make no effort to do so. There is lip service but nothing more.

The smokers choose to congregate here as this is right outside the back door. There is almost certainly an element of club members intentionally antagonising the situation.

### ***Noise and Control Issues Related to Live Music and Bands***

The application seeks to extend the current license to include the outside areas, allowing for bands to play outdoors. Presently, noise levels from indoor performances are inadequately monitored and controlled. More often when bands perform, exceptionally loud music can be heard late into the night often disturbing our sleep. Extending the license to outdoor music will lead to amplified noise disturbances, affecting the neighbourhood and increasing the likelihood of noise disturbances and anti-social behaviour.

This is evidenced on video and photos as well documentation with the club in the form of electronic email correspondence and letters. There are also WhatsApp conversations with the club.

### ***Potential Increase in Public Nuisance from Functions and Events.***

The club has a history of holding functions that spill outside, attracting a larger crowd and offering cheap alcohol during the day- events such as birthdays, weddings and sporting events. It is the committee's express desire to increase its capacity and attract more customers. The club encourages non-members to attend and manages this loosely. Allowing a beer garden will attract more patrons, leading to increased noise and potential public nuisance, similar to the impact observed at nearby establishments such as the Woolpack.

### ***Environmental Impact***

The club's past events in the car park have resulted in litter and unsightly waste. Last summer a large gazebo was erected. This got blown into a neighbour's garden, hay bales used for seating were left to disintegrate in the carpark and food and drinks waste was left uncollected for days. Once again this highlights the lack of responsible management.

### ***Carpark and traffic management***

On a regular basis there are vehicles parked on our drive belonging to club members or contractors working in the club and other people involved in the use of the club. We have photo evidence of this. This is because it is convenient and often the club carpark is full. Despite many, many requests for the club to manage this they have not done so and it is a regular occurrence. With the size of the carpark effectively reduced by the creation of a

external drinking area, this will only get worse. It will be yet another public nuisance caused by the club that we will have to manage.

**Secondary cigarette smoke.**

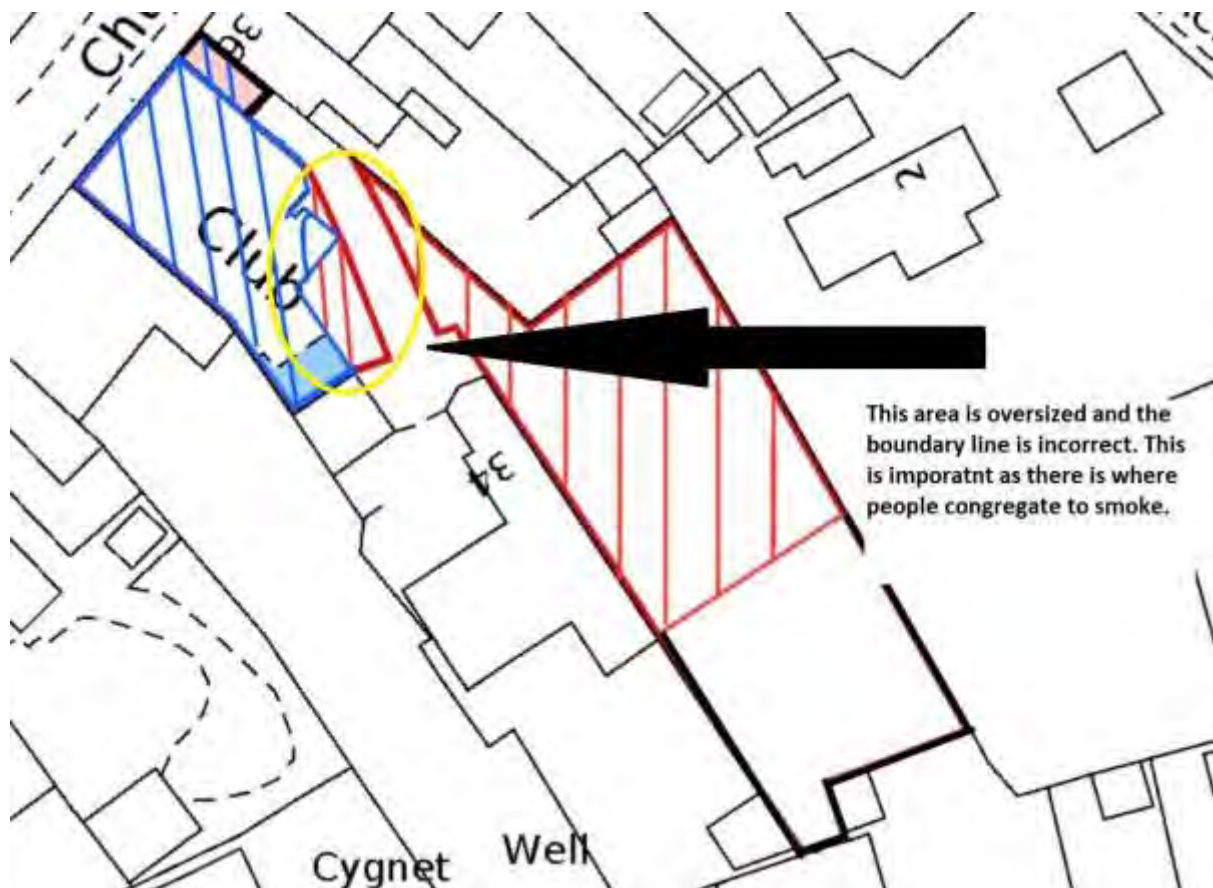
My family and children will have to tolerate the smell of cigarette smoke from smokers within meters of our living room and bedroom windows.

**Light pollution.**

Presumably the club will have to light the areas proposed for use as part of their beer garden.

**3. Planning Permission.**

Further to a conversation we have had with the duty planning and enforcement officer at Braintree District Council we have been advised to bring up the issue of planning permission here in our representation. We have been advised that the Conservative Club will need planning permission for a material change of use. The proposed beer garden is in fact a car park. We are of the understanding that if the car park is to be used as a beer garden or club seating area or even simply as a place to consume alcohol it will require planning permission for a material change of use. This is regardless of anything being built or erected. The club and car park is in a conservation area.



Dear Susan,

19/7/2023

Please accept this as a formal letter of complaint. On Saturday 24<sup>th</sup> June there was a band performing. The music was incredibly loud. The residents in 2 The Mews have informed me that they were unable to watch tv. They requested via our shared whatsapp group that the window be shut, which it was at 10pm, 20 mins after the request to close it was made. The residents were so frustrated that they had to shut the window themselves earlier, but it was opened immediately by someone inside.

The music was incredibly loud despite the window being closed. This continued until 23.30 when the band finished.

I believe you have received a letter of complaint from another neighbour also.

In June 2022 the Club chairman at the time, Justin Wilson, asked the residents to attend a meeting with himself and other members of the committee at the Club on 29/06/2022. You attended this meeting Susan along with Simon Hockeridge representing the committee. Six different neighbours came to the meeting along with John Meddings from Braintree licensing.

The Con Club were able to liaise with us neighbours and seek guidance from the official from Braintree licensing.

The meeting was constructive and a benefit for all.

The Club produced notes and recommendations as a result. These recommendations were; (copied from Conservative Club 29th June 2022 – see attachment below)

1. The neighbours will be issued with a list of all current entertainment bookings.
2. The club will monitor the volume of music on entertainment nights.
3. Windows will be kept locked shut.
4. A WhatsApp group with the neighbours will be set up. This will be an emergency number and will be for entertainment nights only.
5. A nominated committee member will be 'on call' and contactable throughout the evening.
6. The nominated person will monitor people smoking outside on entertainment nights.
7. Members will have to use the designated smoking area on the drive.
8. A plastic chain will be purchased to replace the metal one.
9. The chain will be taken down in the evening when the afternoon shift ends –this will either be at 6pm or 7pm. The chain will remain down until the morning.
10. Timbertherm will be requested to modify the rear door closing mechanism

Of the 10 recommendations that the club produced (as a consequence of a meeting that THEY asked for ), all bar one have NOT been put in place.

Correct me if I'm wrong but only no.4 has been implemented. This WhatsApp group has only Will The Barman as a contact at the club. No committee members.

Smokers smoke where they want. No committee members present at band nights. Nobody monitors the volume of music. It's horrendous. The window is open.

The Club themselves have put in a minimum of recommendations to implement. Of the 10 only one has been implemented. As discussed at the meeting the neighbours were concerned that these

recommendations would not be implemented, especially if the club were to have a change of management, which I believe has happened.

One of the key points was that there would be a committee member present during band nights and functions who could be contacted. This is not the case. There was no responsible committee member present on 24<sup>th</sup> June. Communication is with Will the Barman who is very helpful, but his responsibilities are not focused on the issues raised above. He was unaware of the committee's recommendation no3, that the window should be locked shut.

Once again it seems that the neighbours are the ones managing the club in lieu of ANY management or policing from Con Club committee members.

I have included below my summary of the meeting we had on 29<sup>th</sup> June 2022. This was shared amongst the neighbours after the meeting last year. Im sure this would be helpful for you to look at.

In my summary I echo the suggestion from John Meddings from Braintree Licensing that committee members come to one of our houses and experience the level of noise when a band is playing, I would like to arrange this for Friday 28<sup>th</sup> June when you have an ABBA tribute band. Please feel free to call me on 07954195015 to arrange this.

He was clear that this type of disturbance of the neighbours was unacceptable. At the meeting of June 22nd, the representatives of the Club agreed to manage this. This is clearly failing.

Kind regards,

Timothy Wright



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## Email of 24th July

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**Conservative Club** <coggeshall.club@gmail.com>

Sun, Aug 6, 2023 at 10:33 AM

To: Tim Wright

Dear Tim,

Thank you for your email dated 24th July 2023 outlining your concerns.

We have recently appointed a new president, chairman and committee, which is an annual occurrence at the club. The committee met this week and as part of this meeting we discussed the points raised.

The committee are however satisfied that the club has been operating within the scope of our premises certificate and will continue to monitor this.

Kind regards

Suzanne

**Coggeshall Con Club Ltd**

32 Church Street

Coggeshall

Essex CO6 1TX

Tel: 01376 561159

[www.coggeshallconservativeclub.co.uk](http://www.coggeshallconservativeclub.co.uk)







# Coggleshall Conservative Club

Notes of Meeting held  
29<sup>th</sup> June 2022

Present:

Simon Hockridge, Suzanne Hughes, Lorraine and Will Hutchinson, John Meddings, Rhyanneth Robertson, Jenny Stevenson, Angus Unsworth and partner, Justin Wilson, Tim Wright,

**The purpose of the meeting is to discuss the neighbours' concerns regarding noise from the club, and members conduct when outside the club.**

- Music is too loud on entertainment nights and finishes too late.
- Members take their drinks outside and are sometimes unruly.
- Band members are noisy when they pack up at the end of the night.
- **Smokers aren't utilising the designated 'smoking area'.**
- Cars entering and leaving the carpark are a nuisance. The chain is cumbersome and noisy when dropped.
- The cellar fan is quite monotonous.
- The rear door closes very noisily.

Recommendations:

- The neighbours will be issued with a list of all current entertainment bookings.
- The club will monitor the volume of music on entertainment nights.
- Windows will be kept locked shut.
- A WhatsApp group with the neighbours will be set up. This will be an emergency number and will be for entertainment nights only. A nominated committee member **will be 'on call' and contactable throughout the evening.**
- The nominated person will monitor people smoking outside on entertainment nights.
- Members will have to use the designated smoking area on the drive.
- A plastic chain will be purchased to replace the metal one.
- The chain will be taken down in the evening when the afternoon shift ends – this will either be at 6pm or 7pm. The chain will remain down until the morning.
- Timbertherm will be requested to modify the rear door closing mechanism.

**Conservative Club Meeting with neighbours (Will, Lorraine (no, Tim, Angus, Izzi, Rhyanneth, with representations from Brigitte and Dervorgilla) and John Meddings the Senior Licensing Officer at Braintree District Council .  
29<sup>th</sup> June 2022**

I thought it was a really good meeting and very productive and it was great to see you all.

Here is a summary of what was discussed last night, obviously this is my point of view but I think it's important that we manage all expectations as I will probably send this to the Conservative Club (what do you think?). I think it is important that this gets written down somewhere.

John Meddings the senior licensing officer at Braintree District Council (and I think he's an environmental health officer as well) made several suggestions on how to move forward.

He was very clear about a responsible person being present who is not there socially but as a member of staff. He suggested for them to be non-drinking. They would manage, amongst other things, the noise levels inside and out including the packing up and closing of the bar and bands. The club agreed. Certainly, the responsible person will be there for the bands, and that there would be a responsible person available at all other times. The club agreed that they will make sure that the responsible person is contactable and this is how we should expect to communicate with the club for any reason. It is unreasonable to expect us to go in. One suggestion was that there will be one number that we can call. Which possibly would be a mobile phone behind the bar or similar and will be a single point of contact for us. I'm hoping that this number will always be available - certainly when the club is open. It would be good to establish a line of contact when the club is closed. The club was very clear that there would be a named responsible committee member on band nights whose job it would be to manage noise levels and other such issues. They have also agreed to inform all of the neighbours what dates the bands are on in advance, and let us know who the responsible person is for each.

John Meddings was also clear about his thoughts on the noise perspective. He said this was less a concern for licensing than it was for environmental health. He said that after 11pm out-of-hours environmental health officers would reasonably assume that people were asleep and to assess noise levels they would go to the bedroom of one of the neighbours and if the noise level was, in their opinion, such that it would stop them going to sleep this could ultimately lead to a statutory nuisance noise complaint. John recommended that we invite a committee member to one of the bedrooms so that they can assess this and understand what noise level the club could reasonably expect to operate. This would certainly answer the question the Club raised as to what level would be acceptable to us all. He also said it was definitely reasonable to call the responsible committee member if, on that night, noise levels were as described above. I think this is something we should do in order for us to establish what is an acceptable reasonable noise level. I think we would all agree that every time a band has been on in the past it would have been reasonable to have phoned environmental health (or a number of the responsible person if we had one). I think it is important for the club to understand that we haven't done so because we have been

happy to compromise. I think we should definitely ask for a member of the committee to come and stand in one of our houses when the band plays on the 23<sup>rd</sup>.

In order to manage noise levels the Club said they would make sure all windows are closed and locked. Doors would be closed. The Club also suggested they could manage the numbers outside (e.g. after a certain time only two people allowed outside was one suggestion) Obviously they agreed they would manage the issue with people drinking outside. The club agreed to encourage people to move straight back inside. They also agreed to look at the equipment they already own (and up to fairly recently used) that automatically restricts the noise of the band. My expectation here is that the club acknowledges that that we can reasonably expect to be able to sleep in our bedrooms after 11pm at night.

Bands playing on Sunday afternoon. This is a new thing. None of us seemed happy about this at all. The Club stated that it would be every 3 months or so. Saturday night bands every six weeks. The Club implied Sunday bands would only be acoustic, but they hadn't been up to date. John Meddings suggested that it was in the Clubs interest not to annoy the neighbours. It was acknowledged by all, including committee members, that the music last Sunday was too loud and was on for too long and was not managed.

We also spoke about where smokers should stand. Certainly, for us this is an issue of noise and privacy. As it stands the smokers should smoke under the arch, away from the rear of the properties and away from the street. There is very clear signage communicating this. As I said in the meeting this piece of land belongs to me but at the time this was the compromise reached by the committee and myself as the smokers were sheltered yet less likely to disturb the neighbours. In fact, when the weather is bad the smokers will move instinctively under the arch anyhow. However, as it stands smokers go where they want. The Club were concerned on how they could police this. John Meddings said that it was an easy win for the committee because it's able to consult with its membership and ultimately threaten the removal of membership. I think the club agreed that they would enforce this.

Another point raised was the car park chain. The club agreed to replace with a plastic chain and to remove it completely in the evening and early hours to avoid cars disturbing us with engines running and doors slamming. It was agreed that we could look at this collectively to find better solutions.

We also spoke about the back door slamming and it was agreed the club would find a solution to this.

We also spoke of the noisy air conditioning units and the club agreed to investigate a solution to this.

We also spoke of the rubbish in the car park. The club agreed to find a solution to this.

We also spoke of the neighbour's fence and wall in the car park. The club agreed to regularly maintain these.

The club also suggested at the end of the meeting that we all join as members. I have looked at the prices and it is inexpensive and maybe this is something we may all like to do.

We agreed to meet again in a couple of months. Significantly we will have been able to assess the changes that have been agreed as there is a band playing on the 23<sup>rd</sup> July. There is also a Petanque competition/bbq/all day temporary event notice with a band in the evening on 27<sup>th</sup> August I think. We said that as neighbours we would collectively agree a date and go back to Justin Wilson the Chair. Hopefully we can expect for the meeting to be good humoured and shorter. We can also use it to raise anything we missed in this meeting.

Is there anything I have missed or over egged? I hope I have not been too biased towards issues that concern me and mine. I have tried not to be

Tim.

REDACTED

Essex,  
CO6 1TX.

The Secretary,  
Conservative Club,  
32 Church Street,  
Coggeshall,  
Essex,  
CO6 1TX

Tuesday 17<sup>th</sup> November

Dear Sir/Madam,

I have spoken to the Chairman Les West. He agrees with me that I ought to put my current concerns into writing.

I am writing to confirm that as a committee you are aware of the verbal agreements that were made at our 'clear the air meeting' of Tuesday 19<sup>th</sup> of June, and whether you agree with them.

These agreements were essentially the product of a compromise. In exchange for Con Club not continuing with the planning application for doors at rear side window it was agreed that smokers could smoke up under the arch on my driveway with the following caveats:

- Smokers would smoke up under the arch and so could access this area via the front door.
  - No drinks would be allowed to be taken out.
  - Nobody would linger or use my driveway as anything other than somewhere to smoke.
  - This agreement would be documented in a way that did not adversely effect the legal standing of my private property i.e my driveway.
- It was also agreed that
- An attempt would be made to tighten up security in the car park to stop strangers unlawfully parking and unlawfully passing through the arch. It was tentatively suggested that I could police this in exchange for the two car parking spaces that Con Club had offered Miss Elmes's Grandmother in exchange for various goodwill gestures including the external lights set up on our building etc.
  - We would be informed in advance of any functions that could possibly result in excessive noise or nuisance to us and the tenants in flat 2.

As you may or may not be aware people now regularly congregate outside the backdoor to smoke. In fact in summer non smokers congregate there as well. These people are all drinking. They are spending all night outside in the summer. Also a pub garden table has appeared. This has been here for several months despite my request for it to be taken away. This is all taking place on my private driveway.

This is not what we agreed. I have spoken to Les on several occasions about all of the above issues and nothing has been done. I am extremely unhappy about this arrangement and I will outline specific complaints in a second letter. This

arrangement puts people literally outside the bedroom window of flat 2. Not just for a short cigarette break, but all night, often in large groups, til after 1am some nights. It seems to me that there is absolutely no policing of this behaviour, and no clear policy on this issue. It seems to get progressively worse until I bring it up in some form then it will abate only to worsen once again.

I specifically ask you to remove the table that is on my drive and ask your patrons to stop drinking on my drive, as agreed in our first meeting. The needs of the smokers can be met with them smoking under the arch. In fact now the weather has changed this is where some are congregating to avoid the weather. With the smokers away from flat 2 there is less chance of them disturbing or causing a nuisance and so keeping your neighbours happy.

The last two points I have yet to hear anything from you. I expected to hear about functions before they happened. This was agreed because it would be in both our interests. Also I am yet to hear about what the Con Club is doing about security and the unlawful use of access into the car park.

Les has suggested that we meet again, and that we can sort out what can be done. I suggest that this can be done as soon as possible in light of the most recent act of disorder. As you will be aware one of your patrons has been sexually harassing and sexually threatening [REDACTED]. This will be sorted out in a separate meeting organised for Wednesday 14<sup>th</sup> November. It will also appear on a separate second letter which will list all the recent complaints of nuisance, disorder and other threatening behaviour to us, our children, and [REDACTED].

Les West, the Chairman, agrees with me that our agreement was for smokers to be under the arch, not drinking and not having any reason to remain outside longer than they have to be. Could you confirm as to whether this view is shared by the Committee.

Sincerely yours,

Miss Dervorgilla Elmes  
Mr Tim Wright

REDACTED

Essex,  
CO6 1TX.

The Secretary,  
Conservative Club,  
32 Church Street,  
Coggeshall,  
Essex,  
CO6 1TX

Tuesday 17<sup>th</sup> November

Dear Sir/Madam,

It is with deep regret that I have to inform you of a further list of events that have caused disorder, nuisance and even a threat to personal safety. Since our last complaint matters have got a lot worse. Despite various complaints to the Chairman Les West nothing has been done. Please be aware that this letter works as a supporting document to a first letter dated the same. Matters have got a lot worse as a direct result of the issues raised in the first letter. In fact it is unbearable. We feel intimidated and feel there is a relentless encroachment into our private lives and property.

Please see below a list of major disturbances and other actions relating to this. Smaller disturbances and acts causing a nuisance and intimidation have been left off for want of space and clarity.

16/06/07 Live music, window open, ridiculously loud music after 10.30pm  
19/06/07 'Clear the air' meeting with members of committee (see first letter)  
8/7/07 Sunday - people drinking outside on my driveway by backdoor.  
28/7/07 Wedding event. Total disaster. Driveway taken over by wedding reception.  
Loud music window open till late.  
3/8/07 5 people or so talking very loudly drinking till 12.10 am.  
4/8/07 Karaoke party very noisy till after 12.00. People drunk outside singing and shouting . Absolutely no regard for flat 2. Chairs were brought out to provide seating on my driveway and left there.  
5/8/07 Extension of Karaoke night same people outside lunchtime drunk and disorderly causing a nuisance. Cars blocking me in. Chairs left outside.  
25/8/07 10 people drinking smoking outside early evening 7.30 pm. My three year old daughter is intimidated and made to cry by comments made by group of drinking members of club. She is now wary of passing down her own drive when groups of people outside. There seemed to be a party in the evening with loud disco music causing a disturbance. There was drunken behaviour and swearing and shouting constantly and getting progressively worse until 1:20am. There were people drinking outside at this time on my driveway. This is no exaggeration. At one stage there was a drunken brawl in the car park and I was seriously concerned at what may have been about to happen. The language was full of f's and c's as the disturbance materialised

as only a “pretend” fight. I had no choice but to call environmental health department at Braintree District Council I was so angry.

26/8/07 Spoke to Les West Sunday day. He suggested I phone the barman next time there was a problem.

Very loud, music windows open absolutely no regard to your neighbours. Live rock band ridiculously loud. Customers all down opposite side of the bar as music was too loud. Gratuitous. Children difficulty sleeping. Cannot imagine the impact on flat 2. Absolutely no regard for neighbours especially considering the complaints made earlier that day. Outside till after 12.00 am Phoned Barman as suggested but no answer. I Phoned environment agency again.

8/9/07 A beer garden table has arrived on my drive! It is obstructing my access to my house and has no right to be there. Nuisance. Spoke to Les about it and asked for it to be removed. Crowd of 5 or more people sat drinking smoking sat there all day swearing loudly effing and C-ing.

This is now a regular occurrence 3-4 times a week people sat outside all night /day smoking drinking causing a disturbance, often till late. This has become the norm.

21/10/07 Comments made to Resident in flat 2 of a sexual nature.

4/11/07 Sexually threatening behaviour. Sexual harassment. Totally unacceptable.

This issue has been subject to a meeting at the club with Les West, Louise Cowlin Myself and [REDACTED]. It was made clear that this behaviour is a direct result of members smoking and drinking so close to [REDACTED]. They are commenting on our everyday behaviour and the [REDACTED] feels very threatened in [REDACTED]. [REDACTED] has a right to privacy [REDACTED]. It was agreed that when the member is identified it be dealt with by the committee.

3/11/07 Intimidating comments made to me by group of people. Sarcastic comments.

The tenant has also stated that when [REDACTED] window is open, the smell of secondary smoke often fills [REDACTED] room.

Cars parking on my drive is still a regular occurrence. I have been into the club on several occasions to complain.

Sincerely yours,

Miss Dervorgilla Elmes  
Mr Tim Wright



The Secretary,  
Conservative Club,  
32 Church Street,  
Coggeshall,  
Essex,  
CO6 1TX.  
02/10/2006

REDACTED

Essex,  
CO6 1TX.

Dear Sir/Madam,

I am writing to you because of the concerns we have for the excessive noise that is coming from your property, the Conservative Club, 32 Church Street, Coggeshall, Essex, CO6 1TX. We have spoken to Les West on 2/10/06 and previously on 25/09/06 and expressed our concerns to him, and he has suggested we formalise this complaint in writing to you.

I would like to give you some examples of the excessive noise that are disturbing us and our children and just as importantly (if not more so because of their proximity to the source of the noise at the rear pool room window of the Conservative Club) our tenants in no.2 The Mews.

These include:

27/08/06 - Disco music very loud until 12.45 am.

23/09/06 - Disco music very loud late.

24/09/06 - SUNDAY NIGHT! very loud disco music until 22.45. And no-one was in there!

30/09/06 - 20.15 – 23.00 Very ,very loud live rock music.

The music was so loud Saturday 30/09 that the occupants in no. 2 the Mews could not hear their television even though it was turned up full volume. The glass was shaking in the frames of our windows. Our children were disturbed by the noise. Even though it was a very warm evening we had to have all the windows shut.

On the night of the 27/08/06 my partner and I were unable to sleep, and there were disturbances in the car park after.

On the night of the 23/09/06 my mother was babysitting and could not believe how loud the music was.

On the night of the 24/09/06 – SUNDAY NIGHT! Until 22.45 very loud disco music. When I went to see the source of the music it became apparent that the disco room was empty, the disco unmanned, with a few people drinking in the front bar.

For whatever reason this had not seemed to have been a problem before, however recently the frequency and noise level of these events seems to have increased considerably. If you were to put yourself in our position we are sure you would have no choice but to make this formal complaint.

We do not wish to prevent you from enjoying nights at the Conservative Club, as we hope you don't wish to prevent us from enjoying our nights at home. I am a member of the Conservative Club so enjoy the hospitality that it provides.

Unfortunately, we all have reached the point where we cannot tolerate any more excessive noise disturbances like those outlined above. This is having a detrimental effect on our health and well-being, and personal financial security dependent on the business provided from the renting out of no. 2 The Mews.

We are asking that you address the noise problems we have outlined above. We hope we can come to an amicable and friendly agreement and arrangement with you, to stop these noise problems and prevent them from re-occurring in the future.

Yours faithfully,

Miss Dervorgilla Elmes and Mr. Timothy Wright



## COGGESHALL CONSERVATIVE CUB LTD

STANFIELD HOUSE, 32 CHURCH STREET  
COGGESHALL, ESSEX. CO6 1TX  
01376 561159



Essex  
CO6 1TX

13<sup>th</sup> January 2008

Dear Miss Elms / Mr Wright.

Thank you for your letter of the 7<sup>th</sup> January and the issues you have brought to the committees attention.

Although the issues surrounding the level of noise you are experiencing are now being dealt with through the Council we feel that we must respond to you directly regarding a number of the items you have mentioned in your letter.

- First we have to admit that none of the committee were aware that there was going to be any live music for the event that was being held on the evening of 5<sup>th</sup> January 2008. As previously agreed, we would have at least informed you in advance. We have taken steps to ensure that in future no live music is allowed without the prior knowledge of the committee.
- We also took immediate steps once we received your call to reduce the noise, however it proved to be difficult to reduce it to an acceptable level given the number of musicians and the instruments they were playing.
- It is not unreasonable for us to explain to the person holding the event why we were asking them to keep the noise down to a minimum. Whether your name was mentioned or not, it is not exactly a secret with club members that you have complained about the noise previously.
- It was very unfortunate that you were later disturbed by a club member - and we are currently trying to confirm who that member was and they will be receiving a letter from the committee.
- Regarding the issue last November, we understood that this had been amicably settled without the need for a formal letter.

We are taking a number of steps to ensure that any noise is reduced, smokers use the area you have indicated as acceptable and make sure they do not loiter directly outside the clubs rear entrance. These steps include sign off from the committee for any events, ensuring the Bar Manager and a committee member is in attendance at any

event the club holds, better signs indicating the smoking area, installation of CCTV at the rear to enable more efficient monitoring, where possible, soundproofing of the room where events are held.

Yours sincerely



Miss Louise Cowlin  
For and on behalf of The Coggeshall Conservative Club Ltd

pp. Miss P Sharp  
Braintree District Council

REDACTED  
Essex,  
CO6 1TX.

The Secretary,  
Conservative Club,  
32 Church Street,  
Coggeshall,  
Essex,  
CO6 1TX

7/1/2008

Dear Sir/Madam,

On Saturday 5/1/2008 the live music being played was beyond any reasonable level of loudness. Following guidelines suggested by the committee at our previous meeting the club was phoned up and a complaint was made to the bar manager. Following the complaint two men, at least one of whom was member of the club, knocked on the door of [REDACTED] at around 10.30pm. Their behaviour was threatening. 6 weeks ago I sat and discussed a sexual harassment issue with members of your committee. I was led to believe that this sort of behaviour had been an aberration. Yet members of the club still think it is ok to knock on someone's door and act in that way. If that had been me I would have phoned the police.

It seems that the bar manager felt the need to tell those involved with organising the party exactly who had complained and why. This is irresponsible to say the least. There were no members of the committee present and nobody with any responsibility. I have been made aware that members of the committee did not even know that there had been a live band booked.

I am struggling to know what to do next. You asked us to phone the club if there was any problem. This was done. However it led to the club's clientele coming round and using threatening behaviour. Who do I speak to? Is there anyone who can take responsibility for matters of this sort? Am I expected to phone the authorities every time there is any trouble or nuisance caused, I certainly don't want to, but you leave me with no other course of action. We certainly won't be phoning the bar again.

If there is any more threatening behaviour from club members or clientele I will personally phone the police and ask them to investigate this behaviour as targeted intimidation and harassment.

Furthermore I understood that you were to inform [REDACTED] in writing the steps that had been taken after our meeting dated Wednesday 14<sup>th</sup> November. We agreed that this was necessary in order to document what had happened and to reassure [REDACTED] that actions had been taken to prevent

this happening again. [REDACTED] agreed that if this was done there would be no need to go to the police. [REDACTED] has not received any correspondence on this matter.

Sincerely yours,

Miss Dervorgilla Elmes  
Mr Tim Wright

**Below is a transcription of a piece I read out to the committee on 21/11/07. This was a week after a meeting we had with Les West and Louise Cowlin, and it was to raise the issue of the disturbances, nuisance behaviour and threatening and intimidating behaviour coming from people smoking and drinking outside the back of the Conservative Club as well as other issues. Accompanying this are the two letters marked letter 1 and letter 2 which were given out at the meeting.**

“I am sure you are all aware on Sunday 21/10/06 and Sunday 4/11/06 my [REDATED] was sexually threatened and sexually harassed. This matter has been taken to the council and may yet go to the police. This was the last straw in a series of other disturbances, acts of disorder, and general intimidation and nuisance that have come about because of a small minority of smokers drinking and smoking by the back door. They now have a table, which is on my driveway and has been there for 21/2 months even though I have asked for it to be removed. They regularly stay outside all day and night in large groups in what is effectively a beer garden on my driveway. These series of disturbances and other incidences are listed in my letter “2”. “

“This cannot continue. An agreement was made last time I met members of the committee on 20/6/07 that as a compromise smokers could smoke under the arch with access via the front door, no drinks would be allowed and people would not have an incentive to stay outside, therefore reducing the possibility of trouble. Both parties seemed happy with this agreement. Naturally it would be documented and made clear that this agreement did not affect the statutory rights of my private driveway.”

“I would like to learn from the committee as to whether they are aware of this agreement, and whether or not they wish to establish this as a working written policy which can be adequately policed. I would be very happy to help wherever I could.”

“If not and if no serious compromise is available whereby the club can guarantee a stop to the disorder, harassment intimidation and nuisance behaviour, I would like to point out that I am entitled to review the clubs license under the licensing laws of the licensing act of 2003. The licensing objectives clearly stated are “

1. Prevention of crime and disorder
2. Public safety
3. Prevention of public nuisance
4. Protection of children from harm.

“Let me make it clear this is not a course of action I would like to take. It seems ridiculous that a total loss of goodwill should come about because of the behaviour of a small minority. I am, hoping we can move forward together.”

**We had a meeting 20/06/07. This was as a result of the conservative Club making an application to Braintree planning dept. to put double doors in place of the windows of the pool room at the back of the Conservative Club adjacent to my driveway**

I put in a representation to the council for many reasons. At this meeting we discussed what would be the outcome if the Conservative club were to proceed with the application and what the alternatives were to putting in these doors. There was a concern on my part that the loud music from the discos and rock bands would spill out onto my driveway and out underneath the window of Flat 2 The Mews and the area would become a beer garden to accommodate the smokers soon to be pushed outside as a result of the July 2006 smoking legislation.

I offered to accommodate the smokers on my driveway under the arch where they would have shelter and be away from the main road. It was agreed that members would not be allowed to drink outside and would not be encouraged to dwell outside.

Other matters were discussed such as access rights over my private driveway, parking and the use of the conservative club car park by strangers, and therefore the use of my driveway to access the conservative car park by strangers.

It was also agreed that the committee would inform of up coming events that had might possibly cause a disturbance.

Soon after this meeting I heard that the committee had withdrawn the application through lack of funds.

I did not receive any formal acceptance of our other agreements, and did not receive any notifications of up coming events. It seemed that any agreement made had been totally ignored. In fact when I enquired about notification of upcoming events I was met with outright hostility.



**Monday 12/11/07. Meeting at Conservative Club with Conservative club committee members (Les West and Louise Cowlin) and Tim Wright and [REDACTED] the victim of sexual harassment and sexually threatening behaviour.**

I arranged a meeting with these members of the committee because [REDACTED] had, on two separate occasions, been subject to and a victim of sexual harassment and sexually threatening behaviour. This occurred on Sunday 21/10/06 and Sunday 4/11/06. [REDACTED] and is [REDACTED].

At the meeting the Conservative Club committee members persuaded [REDACTED] that they could deal with the matter internally and there would be no need to phone the police. The club member was identified and Les West and Louise Cowlin assured [REDACTED] they did not consider this [REDACTED] to be a risk. However, it was acknowledged that this was totally unacceptable behaviour.

I expressed a deep concern that this was as a direct result of people drinking and smoking outside and treating my drive area as beer garden. This turn of events arose because of the smoking ban July 2007.

I also pointed out that my family I and had been subjected to intimidating and nuisance behaviour, and one incident where my three year old daughter had been made to cry, and felt scared walking up her own drive.

Les West and Louis Cowlin stated that they would contact [REDACTED] in writing to let [REDACTED] know how the matter had gone with the particular club member who was responsible, to reassure [REDACTED] and to show that the matter had been dealt with suitably. Les West and Louis Cowlin agreed that [REDACTED], having made this complaint and so from fear of reprisal, and because of [REDACTED] of the conservative club.

8/8/2023

Re: Representation against application - Reference: 23/01496/LAFULC - Conservative Club, 32 Church Street, Coggeshall, CO6 1TX

Dear Sir/Madam,

I am writing to lodge a representation against the alcohol license application submitted by the Conservative Club located at Church Street, Coggeshall, CO6 1TX, with reference 23/01496/LAFULC.

My objections are centred around the prevention of crime and disorder, prevention of public nuisance, the protection of children from harm, and public safety.

Throughout this representation, I wish to highlight the following crucial points:

1. **Regular Historic Noise and Public Nuisance:** As a concerned resident, I have experienced and witnessed consistent noise disturbances and public nuisance originating from the Conservative Club over an extended period. This has been a source of inconvenience and distress for both myself, my family and other residents in the area.
2. **Historical Troublesome Behaviour:** The Conservative Club's track record in addressing concerns raised by neighbouring residents has been less than satisfactory. Despite promises to mitigate disturbances, they have repeatedly failed to uphold these commitments, resulting in regular historic noise and public nuisance. Extending the alcohol service to an outdoor beer garden will exacerbate these issues, causing further disruptions to ourselves and the local community.
3. **Frequent Changes in Club Committee Leadership:** The Conservative Club has witnessed frequent changes in its committee leadership, which has led to challenges in effective management and oversight. This instability raises concerns about their ability to supervise operations, particularly regarding responsible alcohol service and adherence to licensing regulations.
4. **Lack of Oversight and Responsibility:** One of the most concerning aspects of the current application is the apparent lack of oversight and responsibility displayed by the members of the Conservative Club's committee. Their infrequent presence at the club and their part-time, unpaid status raise doubts about their capability to manage alcohol service responsibly. This raises legitimate concerns about the potential risks to public safety and the well-being of our community. It is deeply troubling that these committee members, with little or no more experience in running a bar than the average resident, are pushing for the extension of alcohol service to an outdoor beer garden. Their amateur status in such a crucial role poses a substantial risk to public safety and the well-being of residents and families.
5. **Noise and Control Issues Related to Live Music and Bands:** The application seeks to extend the current license to include the outside areas, allowing for bands to play outdoors. Presently, noise levels from indoor performances are inadequately monitored and controlled. More often

when bands perform, exceptionally loud music can be heard late into the night often disturbing our sleep. Extending the license to outdoor music will lead to amplified noise disturbances, affecting the neighbourhood and increasing the likelihood of noise disturbances and anti-social behaviour.

6. **Potential Increase in Public Nuisance from Functions and Events:** The club has a history of holding functions that spill outside, attracting a larger crowd and offering cheap alcohol during the day- events such as birthdays, weddings and sporting events. It is the committee's express desire to use the beer garden to increase its capacity and attract more customers. The club encourages non-members to attend and manages this loosely. Allowing a beer garden will attract more patrons, leading to increased noise and potential public nuisance, similar to the impact observed at nearby establishments such as the Woolpack.
7. **Environmental Impact:** The club's past events in the car park have resulted in litter and unsightly waste. Last summer a large gazebo was erected. This got blown into a neighbour's garden, hay bales used for seating were left to disintegrate in the carpark and food and drinks waste was left uncollected for days. Once again this highlights the lack of responsible management.
8. **Impact on Conservation Area and Private Residents:** The proposed beer garden location is surrounded on all four sides by private residents and falls within a conservation area. The beer garden is dislocated from the club entrance and there is no clear line of sight. Entrance into the car park/beer garden is through a 3 metre gap, and aside from this gap the entire perimeter is surrounded by private residents. The club property itself does NOT abut the car park /proposed beer garden area and is a significant distance away. The area is not lit properly and what lighting there is, is attached to one of the neighbours' properties
9. **Planning Permission:** The proposed conversion of the car park into a beer garden necessitates careful consideration, including obtaining the necessary planning permission for change of use. ignoring planning regulations could lead to disruptions within our community.

Given the gravity of these concerns, I respectfully request that the Licensing Authority conducts a thorough evaluation of the potential implications of granting the alcohol license extension to the Conservative Club.

I trust that the Licensing Authority will approach my representation with due diligence and consider the best interests of our community. Thank you for your attention to this matter. Please do not hesitate to contact me if further information is required.

Yours sincerely

Isobel Slater and Angus Unsworth  
REDACTED

14/8/2023

Representation against application - Reference: 23/01496/LAFULC - Conservative Club, 32 Church Street, Coggeshall, CO6 1TX

Dear Sir/Madam,

We are writing to lodge a representation against the alcohol licence application submitted by the Conservative Club located at Church Street, Coggeshall, CO6 1TX, with reference 23/01496/LAFULC. Our objections are centred around the prevention of crime and disorder, prevention of public nuisance, the protection of children from harm, and public safety. We urge you to consider in detail the points raised.

1. Conservative Club Committee Leadership:

The Conservative Club has frequent changes in its committee leadership, and roles and responsibilities are not passed on from one member to another which has led to problems in effective management and oversight.

We have seen this first hand, when we (the neighbours + John Meddings, Principal Licensing Officer at Braintree District Council) met with the committee last year and agreed upon 10 action points. A year later, the new Chairman wasn't even aware of these points, and as a result 9/10 had been completely disregarded. It became our responsibility as neighbours to remind the Chairman of such points.

This is evidence for my concerns of the lack of oversight and responsibility displayed by the Conservative Club's committee.

In addition to this, their infrequent presence at the club, seemingly zero qualifications or handovers to take over the role and their part-time, unpaid status raises serious doubts about their capability to manage alcohol service responsibly. It is deeply troubling that these committee members, with little or no more experience in running a bar than the average resident are pushing for the extension of alcohol service to an outdoor beer garden. We believe that supplying alcohol comes with great responsibility, and evidently, the amateur status of the Committee members poses a substantial potential risk to public safety and the well-being of residents and families.

2. Expansion of existing problems, poorly controlled members, leading to public crime and disorder, public nuisance

2.1. Drinking outside

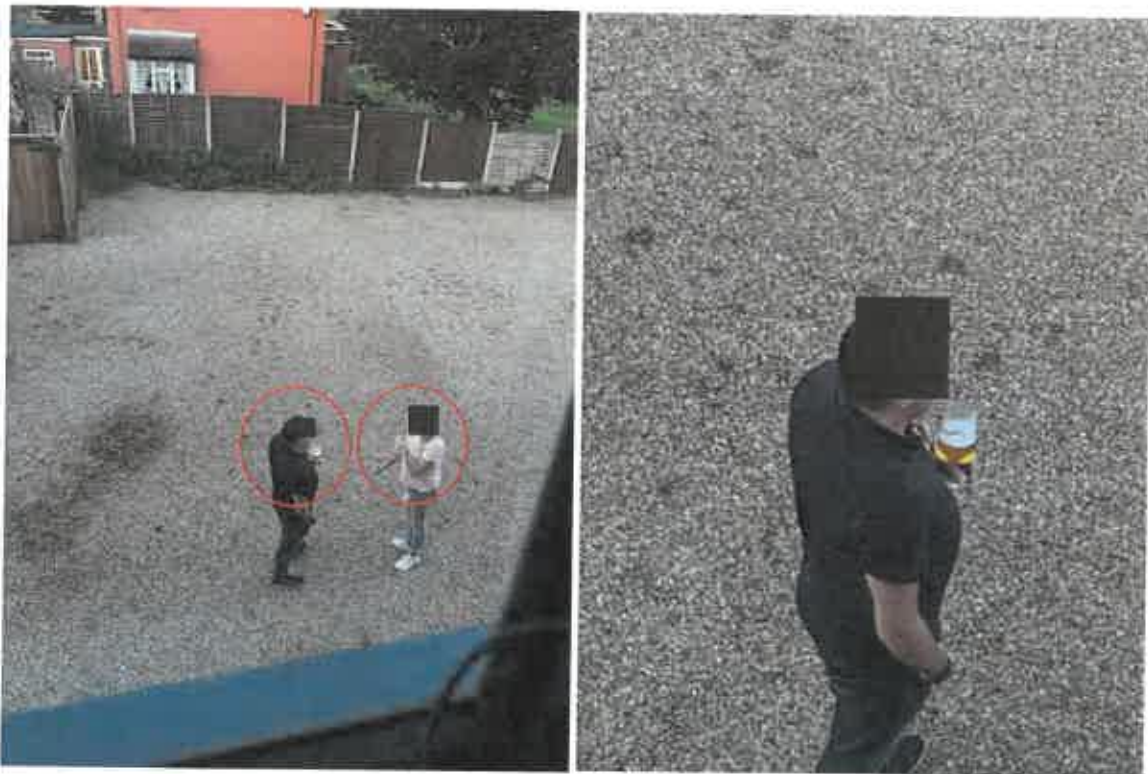
It is to our understanding that members drinking outside breaks the rules of their current licence. Please see below for evidence of times that we have witnessed this being broken, and have no doubt there are plenty more instances in which this has happened. We are extremely concerned that if the current licence cannot be followed there is little chance of rules of an extended licence to be followed.

**Examples of members drinking outside**

2.1.i) The man leaning on the wall with blue jeans has a pint in his hand, you can see him drinking from this in the middle picture. And as always, the smoking area is not being used.



2.1.ii) Clearly pictured is a conservative club member/visitor in the car park, with a pint of beer in his hand. The woman with him is smoking, again, not in the designated smoking area.



## 2.2. Smoking area

In 2008, it was agreed between neighbours and the club that the members who smoke will use the designated smoking area under the archway to prevent a public nuisance - noise, privacy and smoke pollution being key points. Clear signs were put up to make sure that members smoke in this area. This rule was almost immediately ignored.

Last year, we met with committee members and with John Meddings of BDC present, it was agreed by all parties that the designated smoking area was to be enforced. Unfortunately, within a month of our meeting members were exclusively smoking in non-smoking areas - including the Chairman at the time who was present in our meeting. We would consider this as evidence of how little control the committee has over their members, and how little respect there is for their neighbours.

This application is for half of the car park to be licensed - with the above two points in mind, what evidence is there that members would follow the rules such as staying in that designated area? Or the hours outlined in the licence? Members of the club do not follow rules put in place to make a harmonious existence between club and neighbours, and committee members do not enforce these rules. As the proposed area backs on to multiple houses, gardens and the rest of the car park where residents park their cars, this raises the risk of crime and disorder, public safety, especially to children and public nuisance.

### 2.3 Inappropriate behaviour and language

We have witnessed inappropriate behaviour outside of the club on numerous occasions, including shouting, arguing, swearing, discussion of adult content and even a member using the car park as a toilet. This kind of unsavoury behaviour is completely inappropriate next to the homes of families with young children. There is of course never anyone present to intervene, which is indicative of the way the members are managed - not at all. If there was to be an increase in drinking outside due to extension of the licence, there would be an increase in this kind of inappropriate behaviour and language, and in closer proximity to more family homes. There is no evidence that this would be managed appropriately.

### 2.4 Noise levels - Public Disorder

2.4.i) The application seeks to extend the current licence to include the outside areas, allowing for bands to play outdoors. Presently, noise levels from indoor performances are inadequately monitored and controlled. More often when bands perform, exceptionally loud music can be heard late into the night often disturbing our sleep. Extending the licence to outdoor music will lead to amplified noise disturbances, affecting the neighbourhood and increasing the likelihood of noise disturbances and anti-social behaviour.

2.4.ii) This is a quiet neighbourhood, in a conservation area. Many of the houses have single glazed windows due to being listed. Often, we can hear every footstep made in the car park, and every conversation made outside of the conservative club. This is manageable when members are inside the club with the windows shut, as agreed in our meeting with the committee last year. This is unmanageable when members are outside, and noise levels are not contained. The noise pollution from encouraging members to drink outside will increase exponentially, and therefore so will the disturbance to our daily lives. There is no evidence that this will be appropriately managed or controlled.

### 2.5 Environmental Impact

The club's past events in the car park have resulted in litter and unsightly waste. When the sign for the car park was broken, the pieces of this were left on the floor, being passed day after day by members and committee members for months. The cigarette butt holder has been outside for months and only cleaned out this week, with hundreds of cigarettes left to rot. One summer a large gazebo was erected, which got blown into a neighbour's garden. Hay bales used for seating were left to disintegrate in the carpark and food and drinks waste was left uncollected for days. This led to the increase of rodents. This is indicative of the respect for the area, and lack of responsible management.

### 2.6. Impact on Conservation Area and Private Residents

The proposed beer garden location is surrounded on all four sides by private residents and falls within a conservation area. The beer garden is dislocated from the club entrance and there is no clear line of sight. Entrance into the car park/beer garden is through a 3 metre gap, and aside from this gap the entire perimeter is surrounded by private residents. To reach the car park from the

conservative club you must cross a private drive. The club property itself does NOT abut the car park /proposed beer garden area and is a significant distance away.

### 2.7. Public Safety

Myself and my partner have also been subject to snarky comments from members as we attempt to go about our daily lives – mostly sarcastic comments about ‘turning up the music’ when we walk past, etc. This goes to show the respect that we have as neighbours from the conservative club members. If groups of members who have been drinking feel that making comments to neighbours is okay, where is the line drawn? Surrounding our house? Tormenting us? Keeping us up at night? We think this proposed license is already fulfilling some of those criteria.

By increasing the number of members outside, it is no stretch of the imagination that the amount of comments made to us would increase. On a busy evening, I fear for my safety when passing through these crowds, especially late at night, in the dark when members have been drinking. To increase the size of these crowds, and to encourage them to spill out of the club and surround our home, gives me a genuine concern for my safety. As an extension of this, there are many families with young children in the other neighbouring properties. How will they feel? To access their homes they have to pass through a pub garden?

### 2.8. Parking

The car park is already at capacity on most days, and parking on the street is already a problem. I personally park my car on the street, and there is often no space anywhere near us. This is without the added strain of conservative club members, and neighbours who pay to use of the car park, parking on the street. If the car park capacity is reduced, there will be an increase of cars parked on the road taking up the spaces that should be for residents of the houses on Church Street - that is already at capacity. The car park is essential to keep Coggeshall moving - there is a bus route that goes down Church Street, and one poorly parked car can block up the road and cause an impact to a large number of people. We also think it's important to note here that some users of the car park rely on the proximity of the car park to their house/office due to problems with mobility. Users of the car park with children will have to walk through crowds of club members drinking. This raises a major concern for the safety of these children.

### 3. Proximity to our home

We would like to raise my deep concerns with the proximity of the proposed licensed area to our home. We consider this to be a major nuisance - noise, litter, smoking, lack of privacy are all impacts of allowing this licence. For us, there will be no escape from this. Please see below for examples of the proximity of this proposed licenced area to our home.

#### 3.i) Proximity to our bedroom

In the spring, summer, and autumn months we keep this window open at most times. That would no longer be possible due to noise and smoke pollution.

REDACTED



**3.ii) Proximity to my home office**

Since the Pandemic, like many other neighbours I work from home 3 or 4 days a week. The hours that the licence is proposed for (12-8PM) coincide with mine, and most normal working hours of 9-5.30pm. Please see below for images of my home office and proximity to the proposed pub garden.

REDACTED



**3.iii) Proximity to our living area**

As this is our home, when I am not working here, I am relaxing in our living room. Please see below for the proximity of this to the proposed pub garden. These windows would no longer be safe to open, for fear for our security, and noise and smoke pollution.



REDACTED



If the licence is to go ahead, and conservative club members are drinking outside until 8pm daily for the majority of the year, our peaceful home, within a conservation area in a quiet village turns into, for all the reasons listed above, a noisy, busy, dangerous and polluted place to live. We are certain this extension of the licence will impact our lives every single day for 7 months of the year.

Again, I *urge* you to consider these points carefully before considering approving the application for this licence.

Yours Sincerely,

Isobel Slater & Angus Unsworth

From Jennifer Bowman <REDACTED>  
Subject **BDC Reference: 23/01496/LAFULC**  
To Licensing <licensing@braintree.gov.uk>  
Date 05 August 2023 11:21:02 BST

Dear Sirs

I am a near neighbour of the Conservative Club and I am APPALLED to think that they want a beer garden in the car park where they intend to hold live music and bands.

I personally object to this application concerning the prevention of crime and disorder and the prevention of public nuisance. The noise will be appalling until all hours of the night.

J.Bowman  
Sent from my iPad

From Julian Prideaux <REDACTED>  
Subject **BDC Ref: 23/01496/LAFULC Conservative Club 32 Church Street Coggeshall**  
To Licensing <licensing@braintree.gov.uk>  
Date 14 August 2023 07:58:35 BST

For the attention of The Licensing Officer, Braintree District Council

Good morning

My wife and I own and live in No. REDACTED Coggeshall and our garden is immediately south and west of the application site.

I wish to make the following points in connection with the application by the Conservative Club in Coggeshall to establish a Beer Garden in their car park (land immediately to the south of their current building).

1. The land in question is surrounded by private dwellings and thus the application can be considered as an unwelcome change of use, and one perhaps requiring planning permission being a change of use from a Car Park to a Beer Garden and within in the Coggeshall Conservation Area.
2. The land is a little distant from the main building where the Bar is situated and functions/events currently take place . It is not clear from the application whether a temporary Bar will be sited on the land. Understandably functions/events including live music will take place here and these will require active on site management. Without such controls noise and nuisance to the surrounding area will surely follow.
3. There have been instances in the past when noise from functions/events in the current building have been very intrusive.
4. It is hoped that if the Council is minded to extend the Club's current Licence strict conditions are set: to include:-
  - a) No external Bar is permitted;
  - b) No amplified music of any kind;
  - c) Only one function/event be permitted each week;
  - d) All functions/events to end by 2300 hours;
  - e) Proper and sufficient site management should be in place for all functions/events at all times for the safety of children in particular;
  - f) The whole area to be kept clean and tidy at all times to avoid the encouragement of vermin into the surrounding area; and
  - g) Due regard is given to neighbours and others whenever the site is in use.

I hope that these points can be borne in mind when the Council considers this application.

Please kindly acknowledge receipt of these comments.

yours faithfully  
Julian Prideaux

*Julian Prideaux*

From Lori Jay Donaldson <REDACTED>  
Subject **Ref: 23/01496/LAFULC**  
To Licensing <licensing@braintree.gov.uk>  
Date 25 July 2023 08:26:12 BST

To the licensing Officer

We are writing to you regarding the above application for a beer garden in the car park at Coggeshall Conservative Club.

As residents in close proximity to the club we are strongly opposed for the following reasons:Public Nuisance:

There are already many occasions when noise from the club disturbs us and other residents- during open hours as their members stand on the street to smoke and groups of drunken members spill out into the street singing and shouting, often well after closing hours. A beer garden would only amplify these issues which disturb the peace of otherwise traditional homes on Church Street. The club owners, themselves appear to have no control of their patrons or concern for the home owners.

Public Safety: The patrons already park on the street on yellow lines on Church Street which has through traffic throughout the day and night. This will become a bigger problem if the car park has other purposes besides being a car park. This can cause problems for residents getting in and out of their homes and drives as well as a safety issue for patrons and residents, where alcohol is involved.

Protection of Children: There are several young children within mere yards of the club. We often think of them having sleep disturbed when they are attending school the next morning. Also, the language heard, especially after hours is not what they should be hearing as they try to sleep.

Please consider our objections when making your decision.

The application would impact lives, beyond a doubt and amplify issues which already exist.

Sincerely,

Lori and Matthew  
REDACTED  
Sent from my iPad

From Liz Barnett <REDACTED>

Subject **RE: <https://publicaccess.braintree.gov.uk/online-applications/licencingApplicationDetails.do?keyVal=RX0B37BF0D100&activeTab=summary>**

To Licensing <licensing@braintree.gov.uk>

Date 25 July 2023 15:41:04 BST

Thank you very much. Please accept the below as my objection to the application:

This application is for an extension of the Conservative Club's existing alcohol licence, to enable the supply of alcohol to take place in the car park.

I am aware that the Conservative Club have previously submitted a similar application – now over two years ago- which I believe was withdrawn, though I don't know the reasons for the withdrawal. At that time the reason behind the application was due to Covid 19 restrictions and the ongoing public concern about meeting indoors.

However, that reasoning has now, fortunately, passed. The Conservative Club have not stated any reason for the application in their written submission, and I cannot fathom the justification behind what I consider to be an inappropriate and disproportionate application, given the proximity of the Conservative Club to local residents. I actually think the Conservative Club is showing a complete disregard for local residents in making this application.

To be clear, the Conservative Club is a property located in a densely populated residential area. I say densely populated because the vast majority of the surrounding properties are terraced. They are very closely interlinked. The Conservative Club itself is attached to a residential property. Its car park backs on to residential, terrace houses. This is not a case where there is a 'risk' of public nuisance if the application is granted, there will be public nuisance just from the noise which will inevitably flow from people drinking outside, whether rowdy or not. I would invite anyone considering this application to attend the area so you can see for yourselves what I mean. I should also point out that the Conservative Club is located in a conservation area.

In addition, the residential properties referred to above are mostly Grade II listed buildings. My house is one of them. This means that we are unable to mitigate against external noise as double glazing is prohibited. I can tell you from my own experience, from the odd occasion that the Conservative Club have held a 'function', and members/attendees have spilled out into the car park (presumably to enjoy a sunny afternoon, or smoke a cigarette) that the noise has been horrendous from just a few people. To the extent that my husband and I have been glad that such functions rarely take place. My children's bedrooms overlook the car park in question and there are many elderly residents that will suffer from noise when trying to enjoy peace and quiet in their gardens.

What is absent from this application, which was presented during the previous application is reference to safety measures to be put in place in respect of car park. The plan attached to the application shows two areas edged red (with red diagonal lines inside) which depict the area that the Conservative Club would like to extend the licence to. Two issues arise here. Firstly, a significant proportion of that area is currently used to supplement residential parking. Church Street, on which the Conservative Club is located, has very limited parking. Most houses do not have driveways and rely on being able to park in the road. Many local residents pay a fee to the Conservative Club each month to be able to park their vehicles in the car park. Presumably if this extension is granted, many of those spaces will be revoked and this will lead to Church Street becoming more congested, making it difficult for adults and children to cross the road safely.

The second point, however, is that the area shown edged red, is actually an area that vehicles need to pass through to access the bottom part of the car park. I fail to see what safety measures the Conservative Club are proposing to mitigate against risk to public safety here. To access the Conservative Club car park there is an archway through which there is only enough space for one car at a time, and it would have to travel through the area edged red to reach the bottom part below. In the absence of any justification for this application I would invite you to please prioritise the wellbeing and needs of local residents over this application without merit.

I should also observe that the declaration box on page 10 has not been ticked, nor the application signed, which may be a technicality but nonetheless a requirement. Lastly I have pasted below a satellite image of the location of the car park in relation to local residents so you can put this all into context.



Kind regards

Liz Barnett

From Lewis Smith <REDACTED>  
Subject **Proposed beer garden at Coggeshall conservative club BDC ref 23/01496/LAFULC**  
To Licensing <licensing@braintree.gov.uk>  
Date 11 August 2023 08:29:48 BST

Dear Sir / Madam,

I would like to register my objection to the proposed beer garden in the Conservative club car park, for the following reasons:-

- 1, The Conservative club is frequented mainly by males taking advantage of club low price alcohol, consequently is not quite as social as a normal Pub environment, therefore the noise and language can be quite extreme at times. As the Car park backs onto quite a few properties, many with young children, it is not a nice hearing peoples conversations in your garden, especially when it contain quite a few expletives.
- 2, There seems to be a disproportionate number of members that smoke, (in this day and age). This smoke comes over peoples gardens today, with the proposal, it would allow smokers to smoke within mm of adjoining properties.
- 3, The car park is currently used for local residents parking. It is normally full, any reduction would lead to A, residents parking in the street and B, Clubs members with no where to park when visiting the club. As Church Street is on the bus route, this always causes a problem with the bus not being able to get through.

I hope you will consider these objections.

Regards Lewis Smith

REDACTED

Coggeshall

REDACTED

Coggeshall

CO6 1TX

7<sup>th</sup> August 2023

Ref: 23/01496/LAFULC

Coggeshall Conservative Club Ltd

32 Church Street, Coggeshall, CO6 1TX

FAO The Licensing Officer

Dear Sir or Madam

We wish to object to the above application by Coggeshall Conservative Club.

We live next door to the Conservative Club and our property backs onto the proposed location the Conservative Club wish to utilise to serve alcohol outside. To access our property, we will have to walk through this new area which will turn the current busy but quiet, private car park into a "beer garden".

The Conservative Club can already be noisy, with customers congregating outside the back door and on the driveway to smoke and talk. On warm evenings all the doors and windows are also opened. This is particularly an issue on the band nights as the noise and cigarette smoke travels straight into the surrounding residential properties and gardens. Additional noise from a second point would be most unwelcome, further disrupting our children's sleep (and hence education).

We complained to the Conservative Club regarding this noise on the 25<sup>th</sup> June and forwarded our complaint onto John Meddings at Braintree District Council. Please see the attached email. The club could not "police" their customers that night and there was rowdy, noisy behaviour until past midnight. They also did not have a committee member on site as was agreed by the Conservative Club at the residents meeting that John Meddings attended on 29/06/2022. In fact, now a year later only 1 item of the 10 that were agreed during that meeting has been introduced by the Conservative Club, a WhatsApp group with the neighbours as members. This was only introduced in June this year.

Our objections include the increase in noise pollution, with customers utilising this new outdoor area. The Conservative Club tried this seating area as a temporary measure during Covid and it led to more noise with people drinking outside, cigarette smoke wafting into our garden and more rubbish strewn across the area. The area was kept in a very poor state with gazebos collapsing, straw bales falling to pieces and broken chairs. We cleared the area of discarded bottles, rubbish, food waste and cigarette butts ourselves on many occasions. We advised the Conservative Club of the build-up of rubbish, including food waste in July 2020. Please see the attached photographic evidence. It was attracting rats and was a health hazard. We will not be able to enjoy our garden in peace and quiet. We believe this new area will be a public nuisance.

The proposed outdoor area is surrounded by private residences, many of which have young children, and is currently a private car park. To access the new area customers will have to cross a busy driveway, which is owned by another neighbour, not the Conservative Club, where cars are constantly manoeuvring, and this would be a danger to public health. Please see the attached photographs to illustrate this.

This new area will not be seen or heard from the Conservative Club so we would like to know how they intend to police this area, and moreover, prevent the sale and consumption of alcohol to non-members or minors? The public can walk freely into this area as it is open to the street via the driveway. How will this area be supervised by the licensee when they cannot see or hear what is happening outside? There is no line of site from the Conservative Club to the new outdoor area. Taking this into consideration how will the Conservative Club discharge their duty to prevent crime and disorder?

When children have attended the Conservative Club in the past, they have played unsupervised in the car park (where the new area will be positioned) and the driveway, causing damage to our property. We advised the Conservative Club's committee of this with photographic evidence of the damage caused in 2018 and 2019. The Conservative Club's committee representative accepted this had occurred.

To access the main entrance to our property our young children will have to walk through the "beer garden" to access their home. We are unhappy with this and are concerned for their safety. There are often men outside the Conservative Club back door, and some make inappropriate comments to minors. Our children will have to walk through these customers to access their own home. As parents our children's protection from harm is our first priority.

It will also mean customers will be able to clearly see when we leave our home. With the recent large burglary to a neighbour's property, where the thieves accessed the home via the Conservative Club's car park, this raises concerns as to the security of our home.

Please find attached photographs of the area and the surrounding houses. You will also see rubbish and empty bottles are strewn about, and that the new area will be in the middle of a busy operating carpark.

We look forward to your response.

Yours Faithfully

*Rhyanneth & Andrew Robertson*

Rhyanneth and Andrew Robertson

List of Attached Photographs

01 Drive Way Con Club on left, REDACTED

02 Discarded bottles



03Proposed seating area showing proximity of neighbouring residential properties

04Proposed seating area showing proximity of neighbouring residential properties 2

05Uncleared rubbish and food waste July 2020

06Uncleared rubbish and food waste July 2020 2

Email noise complaint to the Conservative Club












 Braintree  
District Council

BRAINTREE  
DISTRICT COUNCIL



 Braintree  
District Council

-  YES PLEASE
- CLOTHES
  - PAIRED SHOES
  - HANDBAGS
  - BELTS
  - TOWELS
  - BED SHEETS

E.L.T.  
E.L.T. is a registered charity  
No. 1042811  
100% of profits go to charity  
www.elt.org.uk

 Please Use Bags

E.L.T.

Ruthie Marland  
REDACTED  
Coggeshall  
CO6 1TX  
10<sup>th</sup> August 2023

FAO The Licensing Officer

Re: Objection against application - 23/01496/LAFULC - Conservative Club, 32 Church Street, Coggeshall, CO6 1TX

Dear Sir/Madam,

I am writing to object to the alcohol license application submitted by the Conservative Club, 32 Church Street, Coggeshall, CO6 1TX, with reference 23/01496/LAFULC.

My objections are related to the prevention of crime and disorder, prevention of public nuisance, the protection of children from harm, and public safety.

I wish to highlight the following crucial points:

1. Noise and Public Nuisance: As a neighbour to the Conservative Club, I have experienced noise disturbances and public nuisance originating from the Conservative Club. This has been a source of inconvenience and distress for both me and other residents in the area.
2. Behaviour: Despite promises to mitigate disturbances previously, they have repeatedly failed to uphold these commitments, resulting in regular noise and public nuisance. I have been informed that the Conservative Club committee has changed; and they are not going to adhere to existing agreed actions which were agreed and at the meeting Meddings attended on 29<sup>th</sup> June 2022. Extending the alcohol license to an outdoor beer car park will exacerbate these issues, causing further disruptions to ourselves and the local community. From previous experiences, alcohol and vehicles do not go together and are a danger to individuals.
3. I am concerned about drunken behaviour I have witnessed. Returning at night to my home in the dark, confronted by drunken members is frightening. This will become the norm if the "beer car park" is implemented. This will cause a public nuisance and concern to my and the public safety.
4. The proposed beer car park is surrounded by residential properties. There is no line of site from the Con club to the carpark so how can this be monitored relating to members behaviour and



supplying alcohol to minors? This environment is unsuitable, particularly for children, single women like me and vulnerable individuals.

5. Beer car park?.....

Yours sincerely

Ruthie Marland

Sara Impney  
Tom Fenlon



8/8/2023

Re: Representation against application - Reference: 23/01496/LAFULC - Conservative Club, 32 Church Street, Coggeshall, CO6 1TX

Dear Sir/Madam,

I am writing to lodge a representation against the alcohol license application submitted by the Conservative Club located at Church Street, Coggeshall, CO6 1TX, with reference 23/01496/LAFULC.

My objections are centred around the prevention of crime and disorder, prevention of public nuisance, the protection of children from harm, and public safety.

Throughout this representation, I wish to highlight the following crucial points:

1. **Regular Historic Noise and Public Nuisance:** As a concerned resident, I have experienced and witnessed consistent noise disturbances and public nuisance originating from the Conservative Club over an extended period. This has been a source of inconvenience and distress for both myself, my family and other residents in the area.
2. **Historical Troublesome Behaviour:** The Conservative Club's track record in addressing concerns raised by neighbouring residents has been less than satisfactory. Despite promises to mitigate disturbances, they have repeatedly failed to uphold these commitments, resulting in regular historic noise and public nuisance. Extending the alcohol service to an outdoor beer garden will exacerbate these issues, causing further disruptions to ourselves and the local community.
3. **Frequent Changes in Club Committee Leadership:** The Conservative Club has witnessed frequent changes in its committee leadership, which has led to challenges in effective management and oversight. This instability raises concerns about their ability to supervise operations, particularly regarding responsible alcohol service and adherence to licensing regulations.
4. **Lack of Oversight and Responsibility:** One of the most concerning aspects of the current application is the apparent lack of oversight and responsibility displayed by the members of the Conservative Club's committee. Their infrequent presence at the club and their part-time, unpaid status raise doubts about their capability to manage alcohol service responsibly. This raises legitimate concerns about the potential risks to public safety and the well-being of our community. It is deeply troubling that these committee members, with little or no more experience in running a bar than the average resident, are pushing for the extension of alcohol service to an outdoor beer garden. Their amateur status in such a crucial role poses a substantial risk to public safety and the well-being of residents and families.
5. **Noise and Control Issues Related to Live Music and Bands:** The application seeks to extend the current license to include the outside areas, allowing for bands to play outdoors. Presently, noise levels from indoor performances are inadequately monitored and controlled. More often

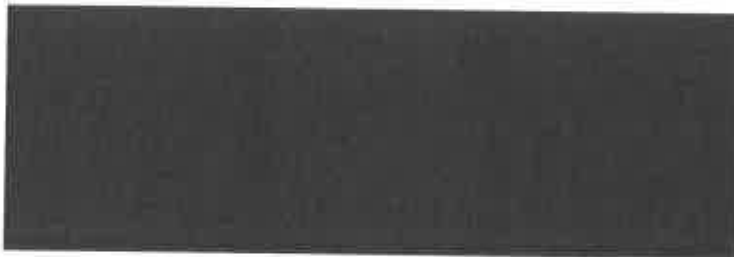
when bands perform, exceptionally loud music can be heard late into the night often disturbing our sleep. Extending the license to outdoor music will lead to amplified noise disturbances, affecting the neighbourhood and increasing the likelihood of noise disturbances and anti-social behaviour.

6. **Potential Increase in Public Nuisance from Functions and Events:** The club has a history of holding functions that spill outside, attracting a larger crowd and offering cheap alcohol during the day- events such as birthdays, weddings and sporting events. It is the committee's express desire to use the beer garden to increase its capacity and attract more customers. The club encourages non-members to attend and manages this loosely. Allowing a beer garden will attract more patrons, leading to increased noise and potential public nuisance, similar to the impact observed at nearby establishments such as the Woolpack.
7. **Environmental Impact:** The club's past events in the car park have resulted in litter and unsightly waste. Last summer a large gazebo was erected. This got blown into a neighbour's garden, hay bales used for seating were left to disintegrate in the carpark and food and drinks waste was left uncollected for days. Once again this highlights the lack of responsible management.
8. **Impact on Conservation Area and Private Residents:** The proposed beer garden location is surrounded on all four sides by private residents and falls within a conservation area. The beer garden is dislocated from the club entrance and there is no clear line of sight. Entrance into the car park/beer garden is through a 3 metre gap, and aside from this gap the entire perimeter is surrounded by private residents. The club property itself does NOT abut the car park /proposed beer garden area and is a significant distance away. The area is not lit properly and what lighting there is, is attached to one of the neighbours' properties
9. **Planning Permission:** The proposed conversion of the car park into a beer garden necessitates careful consideration, including obtaining the necessary planning permission for change of use. Ignoring planning regulations could lead to disruptions within our community.

Given the gravity of these concerns, I respectfully request that the Licensing Authority conducts a thorough evaluation of the potential implications of granting the alcohol license extension to the Conservative Club.

I trust that the Licensing Authority will approach my representation with due diligence and consider the best interests of our community. Thank you for your attention to this matter. Please do not hesitate to contact me if further information is required.

Yours sincerely



*Brigitte Smith*

REDACTED

*CO6 1TZ*

The Licensing Officer,  
Braintree District Council,  
Causeway House,  
Bocking End,  
Braintree, Essex,  
CM7 9HB

Sent by email to: [licensing@braintree.gov.uk](mailto:licensing@braintree.gov.uk)

26 July 2023

**Re: 23/01496/LAFULC | Notice of Application for a Variation of a Club Premises Certificate under Section 84 of the Licensing Act 2003**

Dear Sir or Madam,

Again, I have not received any official notice of this application, although I am an immediate neighbour!

I wish to object to this application by Coggeshall Conservative Club on the grounds of:

- Public safety.
- Prevention of crime and disorder.
- Prevention of public nuisance.

I live at REDACTED'Quote from the application is:

*Application is for an extension to the licensable area to include outside.*

There are no details of the exact location of this outside area. Perhaps it is on the pavement in Church Street?

My concern is that the application is for an area in the car park which adjoins my house and garden. The car park runs the full length of my garden. The car park currently contains an open top bin and refuse area right against my boundary. Today it contains open black bags that have not been put into the bins and several squashed drink cans scattered on the floor.

Everything that happens in the car park affects me.

The Conservative Club can be noisy. You could clearly hear people's voices and conversations in the car park because voices carry.

The level of the conversation always rises as the consumption of alcohol increases. If families with children come and have a drink, the children will be running around, creating more noise. There will also be the problem of cigarette smoke.

If the proposed outside seating area is in the car park, it will be accessed by the alley leading into car park. With cars manoeuvring in and out of the car park, this could have public safety issues.

The other problem is how will any proposed outside seating area be monitored? The bar is far away from it and staff will be oblivious to any problems.

Recently when complaints were made to the club about loud noise, the club confirmed that no one from the committee was on site at that event to assess the situation. Ultimately it is up to the neighbours to take responsibility for the place in their absence.

Rubbish is another issue; it is not uncommon for me to pick up empty bottles, empty crisp bags and sweet papers that have landed in my garden. Additional waste could attract rodents which will be a health issue and a problem for residents.

If the proposed outside seating area is in the car park, it will not be visible from the road. Access is under an arch, down the alley and then to the left. To have a permanent hidden seating area there might attract people after 20:00 hours which might lead to crime and disorder. An emergency telephone number for immediate neighbours will not help this problem, because as mentioned earlier, committee members are not always available.

The Conservative Club occasionally holds events in the car park. The noise from these events is very loud and there is sometimes the smell of burning fat. It means that all the residents of the area have to keep doors and windows closed. It is impossible to sit and relax in the garden or even work in the garden on those days. These events are only once or twice a year, which is ok. To have a permanent outside seating area open EVERY DAY from 12:00 to 20:00 would be a public nuisance.

I have lived at this house since 1985 and have always maintained the fence between myself and the Conservative Club. I had the fence erected when I first moved in and I regularly change panels when needed. My side is painted every year.

The Conservative Club does not maintain the fence or remove ivy and wild trees growing on their side which damage the fence. I am concerned that there may be damage to my fence with an outside seating area. Past experience tells me the Club will not look after the proposed area.

All this concerns me very much. Coggeshall is a lovely exclusive village. All its inhabitants work very hard to keep it that way and it would be very sad to see its reputation damaged.

I thank you in advance for your kind understanding of the situation. I hope that the peace of my garden will not be lost forever.

Yours faithfully,

Brigitte Smith  
REDACTED  
Coggeshall

----- Forwarded Message -----

**Subject:**BDC Reference 23/01496/LAFULC

**Date:**Thu, 27 Jul 2023 11:23:48 +0100

**From:**Jenny Thompson REDACTED

**To:**[licensing@braintree.gov.uk](mailto:licensing@braintree.gov.uk)

For the attention of the Licensing Officer

Dear Sir, I wish to strongly object to the proposed extension of the license for a beer garden at the Conservative Club.

I object to the noise that will inevitably be heard from members drinking outside. It will be a public nuisance, not to mention public safety and possibly leading to crime and disorder.

As for unruly behaviour and increased noise as a near neighbour it would certainly disturb me. As for the consequence of discarded food waste attracting rats - it does not bear thinking of.

I therefore wish to object to this new application by the Conservative Club.

Jenny Thompson REDACTED

CO6 1TX

**From:** [Licensing Braintree and Uttlesford](#)  
**To:** [Licensing](#)  
**Subject:** VARIATION APPLICATION- Conservative Club Coggeshall  
**Date:** 16 August 2023 09:07:43  
**Attachments:** [image001.png](#)  
[image002.jpg](#)  
[Email chain Conservative club Coggeshall.pdf](#)

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Good morning,

Having been in negotiations with the applicant the following conditions have been agreed , **in summary – Off Sales added , no outside area licensed and updating current conditions .**

I have added the email chain agreeing to these conditions

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system that at all times complies with the below requirements:
  1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
  2. CCTV cameras shall cover {all public areas including} all entrances and exits and all areas where the sale of alcohol takes place;
  3. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of {31} days;
  4. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
  5. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;
2. Signs must be displayed at all entrances {and exits} advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.
3. Outside tables and chairs shall be rendered unusable and immovable by 20:00 hours each day.
4. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth and either a holographic mark or ultraviolet feature) **and** is either a:
  1. Proof of age card bearing the PASS Hologram;
  2. Photocard driving licence;
  - Passport; or
  - Ministry of Defence Identity Card.
- 5) All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.

Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.

**3. None The outside area is to be licensed**

**4. If tables & chairs are present in the carpark they must be protected from vehicle manoeuvring within the carpark , with some form of safety barrier.**

**5. Confirm that you are applying for addition of off sales to your certificate .**



**Ronan McManus (80692)**

Senior Licensing Officer

☎ 101 (Ext: 406363) [REDACTED]

Braintree Police Station, Blyth's Meadow, Braintree. CM7 3DJ

## Ronan McManus 42080692

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**From:** Conservative Club <coggeshall.club@gmail.com>  
**Sent:** 16 August 2023 08:58  
**To:** Ronan McManus 42080692  
**Subject:** Re: EXTERNAL - Revision of plans for Coggeshall Conservative Club

Morning Ronan,  
I agree to all the conditions proposed

On 16 Aug 2023, at 08:33, Ronan McManus 42080692 <Ronan.McManus@essex.police.uk> wrote:

Good morning & Thank you Will ,

I was conducting visits yesterday and have only read your email .

You haven't commented on the conditions I posed to you back at the end of July they are

Thank you for your time on Monday morning . we spoke about how to achieve the goal you wanted here are Essex Police suggestions ;

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system that at all times complies with the below requirements:
  1. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
  2. CCTV cameras shall cover {all public areas including} all entrances and exits and all areas where the sale of alcohol takes place;
  3. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of {31} days;
  4. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
  5. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;
  
2. Signs must be displayed at all entrances {and exits} advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.
  
3. Outside tables and chairs shall be rendered unusable and immovable by 20:00 hours each day.



4. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement (photo, name, date of birth and either a holographic mark or ultraviolet feature) **and** is either a:

1. Proof of age card bearing the PASS Hologram;
2. Photocard driving licence;
- Passport; or
- Ministry of Defence Identity Card.

5) All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.

Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.

3. None The outside area is to be licensed
4. If tables & chairs are present in the carpark they must be protected from vehicle manoeuvring within the carpark, with some form of safety barrier.
5. Confirm that you are applying for addition of off sales to your certificate.

If you agree with these conditions can you reply **your agreement by email I need a response today before lunch**

Thank you

**Ronan McManus (80692)**

Senior Licensing Officer

<image001.jpg>

☎ 101 (Ext: 406363) ☎ [REDACTED]

📍 Braintree Police Station, Blyth's Meadow, Braintree. CM7 3DJ

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**From:** Conservative Club <coggeshall.club@gmail.com>

**Sent:** 15 August 2023 09:13

**To:** John Meddings <john.meddings@braintree.gov.uk>; Ronan McManus 42080692 <Ronan.McManus@essex.police.uk>; pam.sharp@braintree.gov.uk

**Subject:** EXTERNAL - Revision of plans for Coggeshall Conservative Club

CAUTION: This email originated from outside of the organisation. DO NOT CLICK LINKS or OPEN ATTACHMENTS unless you recognise the sender and know the content is safe.

It is not unusual to receive an email from someone for the first time but this can be a sign of phishing, so do please be vigilant.

Hello all,

After weeks of meetings and liaising with the various authorities for our proposed extension to our licensable area, we would be willing to change our variation to make the case of off-sales only, however we would be looking to provide an area in our car park (please see plans below). We intend to use the space between the hours of 12:00 to 20:00 and the days between 1st April to 31st October to try and stay inline with the British Summer Time hours.

We would be making our area safe by providing appropriate fencing and materials to make a cordoned off area that would be safe for members and guests from any unaware drivers or other hazards that may occur.

I understand that there are concerns about more cars being parked on the road from members, however the club currently private rents spaces in our car park, to provide an area we would lose 3 spaces approximately, membership parking wouldn't be affected as we would plan to not rent as many spaces to non-members.

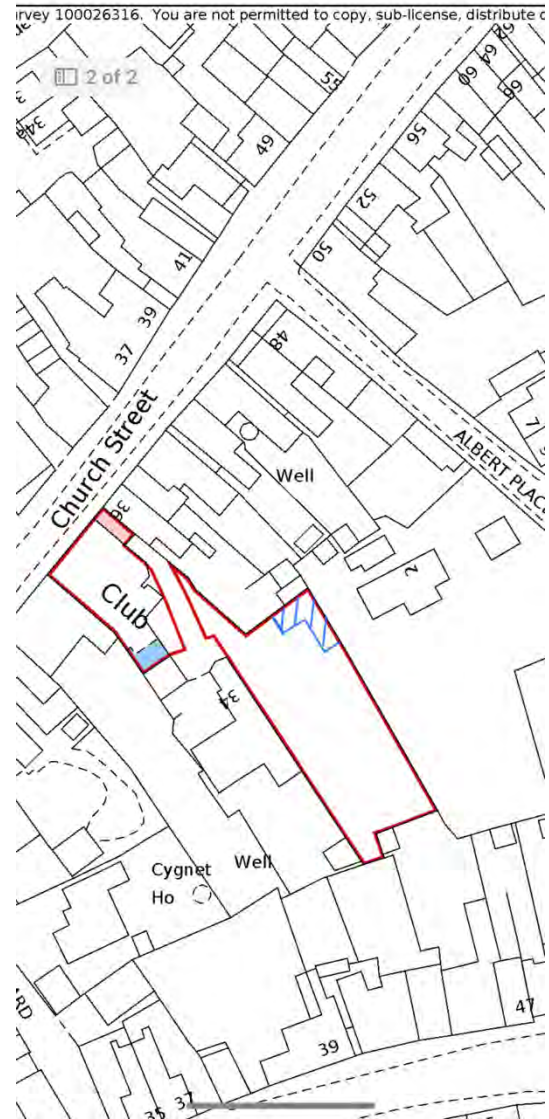
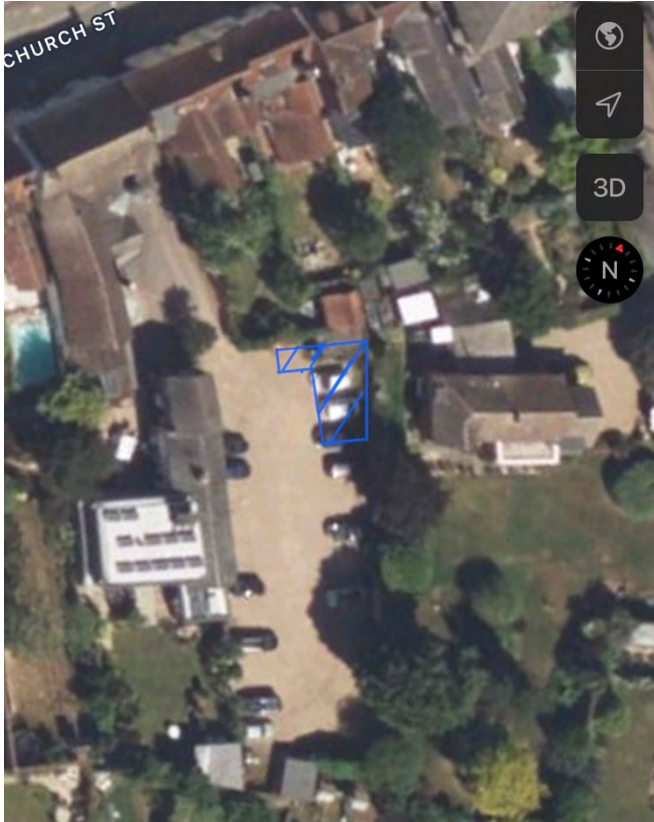
We're of the understanding that with the change of variation to provide off-sales only this would stop our application to gain live music outside, which is something that we would never want to pursue outside.

Kind  
William  
Bar Steward

Regards  
Mills

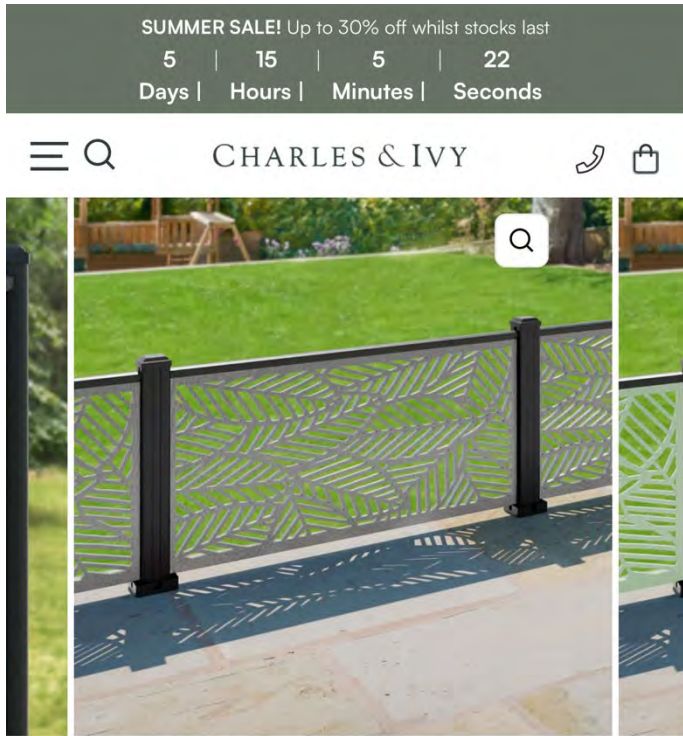
### Plans for outside

The plans for the proposed area would take up a corner of our car park, leaving enough room for cars to get through, we plan to provide a safe walk through with durable resources to protect any members or guests from any unaware drivers



## Materials for fencing

We would be looking at someone similar to the attached photos to secure the perimeter of the area highlighted in the area above



### Habitat Decorative Fence

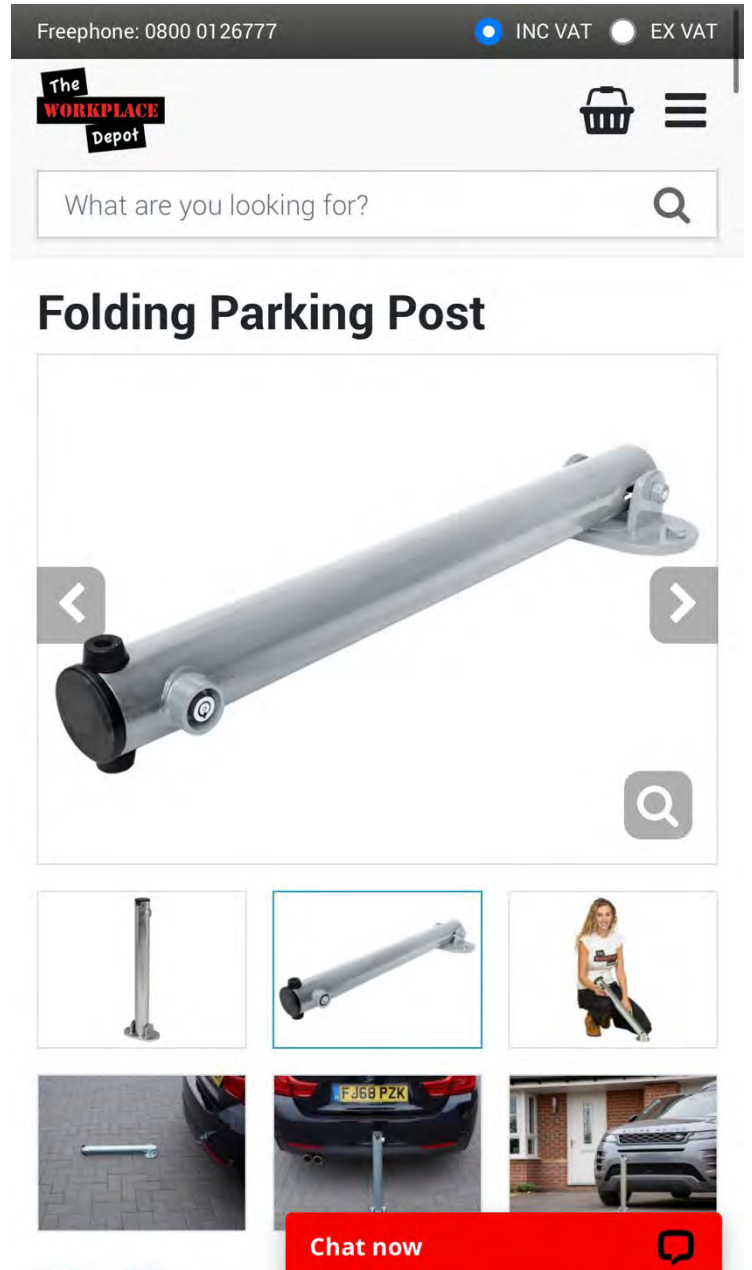
120x60cm - with our aluminium posts

£130.00 ~~£119.60~~

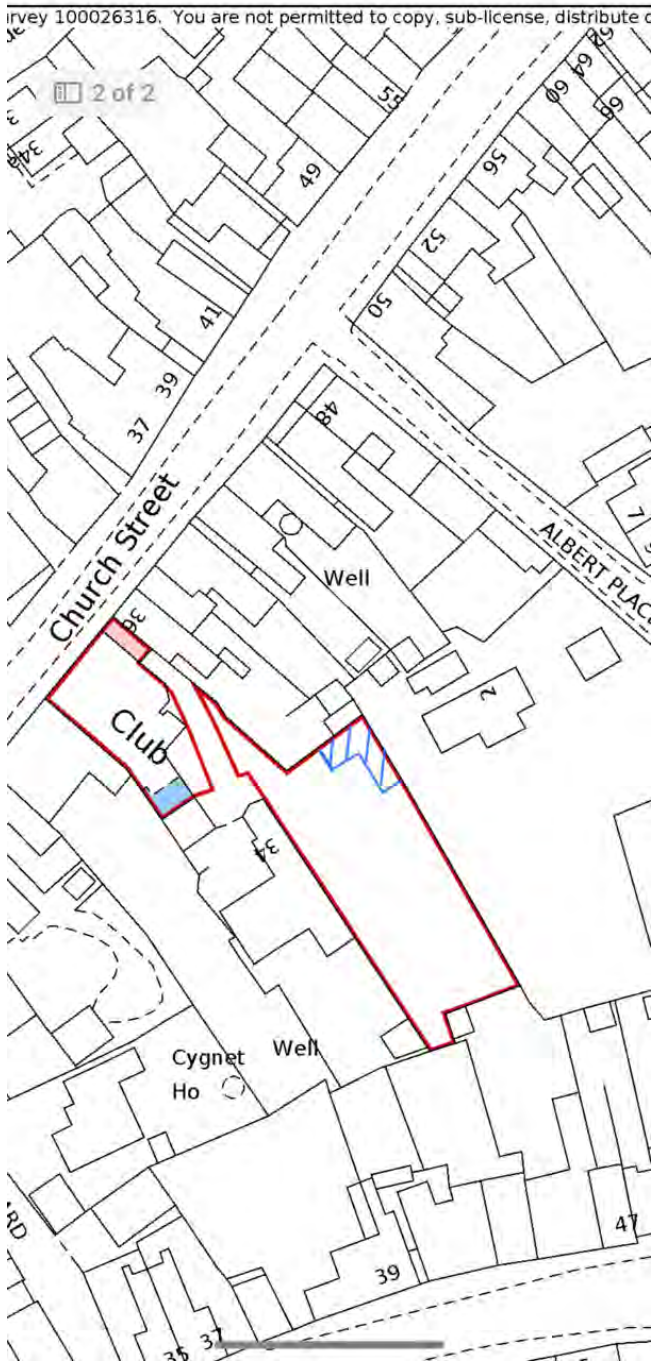
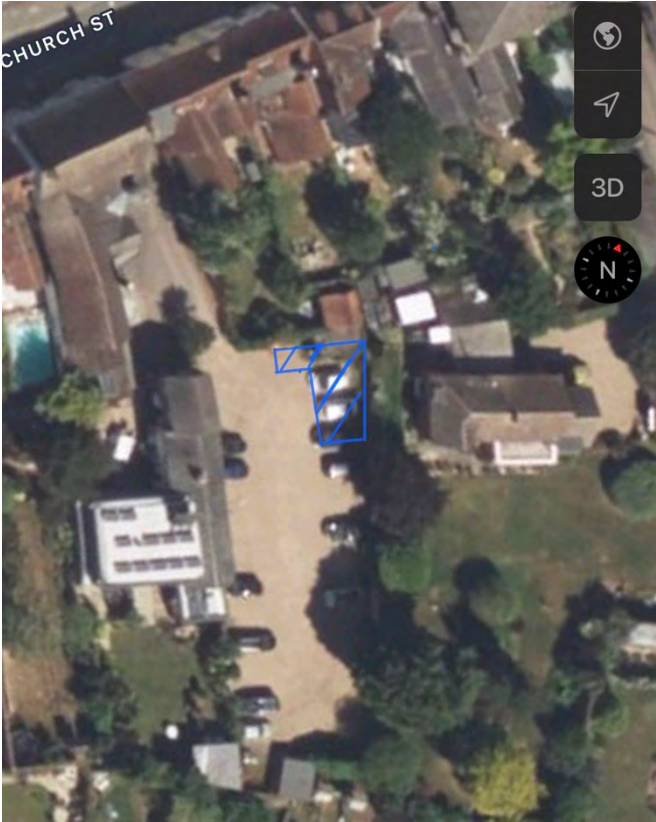
 Never Paint Again

#### Description

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5 | 15 | 5 | 22  
Days | Hours | Minutes | Seconds



CHARLES & IVY



### Habitat Decorative Fence

120x60cm - with our aluminium posts

£130.00 ~~£119.60~~

Never Paint Again

#### Description

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C2/5

**CLUB DETAILS**

**Name of Club in whose name this Certificate is granted and relevant postal address of Club**

**Coggeshall Conservative Club  
32 Church Street  
Coggeshall  
Colchester  
Essex  
CO6 1TX**

**Post Town: Colchester**

**Post Code: CO6 1TX**

**Telephone number : 01376 561159**

**If different from above the postal address of Club Premises to which this Certificate relates, if any, or if none, ordnance survey map reference or description**

**Post Town:**

**Post Code:**

**Telephone number:**

**Where the Club Premises Certificate is time limited the dates**

**N/A**

**Qualifying Club activities authorised by the Certificate**

- a) The supply of alcohol by or on behalf of the club to, or the order of, a member and guest of a member of the club for consumption on the premises.

**Provision of Regulated entertainment consisting of:**

- b) Films – Indoors**
- c) Indoor Sporting Events**
- d) Live Music – Indoors**
- e) Recorded Music – Indoors**

**The times the Certificate authorises the carrying out of qualifying Club activities**

- a) The supply of alcohol by or on behalf of the club to, or the order of, a member and guest of a member of the club for consumption on the premises.**

**Monday to Thursday Inclusive 12:00 to 23:30**  
**Friday and Saturday Inclusive 12:00 to 00:00**  
**Sunday 12:00 to 22:30**

**Non Standard Timings**

**New Years Eve 12:00 to 01:30**  
**Christmas Eve and Boxing Day 12:00 to 00:00**

**Provision of Regulated entertainment consisting of:**

- b) Films – Indoors**

**Saturday 20:00 to 00:00**

- c) Indoor Sporting Events**

**Monday and Wednesday 23:00 to 23:30**

- d) Live Music – Indoors**

**Saturday 23:00 to 00:00**

- e) Recorded Music – Indoors**

**Monday to Thursday Inclusive 12:00 to 23:30**  
**Friday and Saturday Inclusive 12:00 to 00:00**  
**Sunday 12:00 to 22:30**

**The opening hours of the Club**

**Monday to Thursday Inclusive 12:00 to 24:00**  
**Friday and Saturday Inclusive 12:00 to 00:30**  
**Sunday 12:00 to 23:00**

**Non Standard Timings**

**New Years Eve 12:00 to 02:00**  
**Christmas Eve and Boxing Day 12:00 to 00:30**



**Where the Certificate authorises supplies of alcohol whether these are on and / or off supplies**

**On Supplies Only**

**State whether access to the Club Premises by children is restricted or prohibited**

**Children under the age of 18 shall only be permitted on the premises when accompanied by an adult member.**

**Accompanied children may be admitted to the snooker or pool room.**

**Children and grandchildren of members and guests may attend a private party in the function room only when accompanied by an adult.**



The Licensing Section  
 Causeway House  
 Bocking End  
 Braintree  
 Essex CM7 9HB

**Club Premises Certificate**

Club Premises Certificate number:

05/00415/LAPREC C2/5

**Part 1 – Club Details**

<b>Name of Club in whose name this Certificate is granted and relevant postal address of Club</b>	
Coggeshall Conservative Club 32 Church Street Coggeshall Colchester Essex CO6 1TX	
<b>Post Town: Colchester</b>	<b>Post Code: CO6 1TX</b>
<b>Telephone number at premises: 01376 561159</b>	

<b>If different from above the postal address of Club premises to which this Certificate relates, if any, or if none, ordnance survey map reference or description</b>	
<b>Post Town:</b>	<b>Post Code:</b>
<b>Telephone number:</b>	

<b>Where the Club Premises Certificate is time limited the dates</b>
N/A

**Qualifying Club activities authorised by the Certificate**

- a) The supply of alcohol by or on behalf of the club to, or the order of, a member and guest of a member of the club for consumption on the premises.

**Provision of Regulated entertainment consisting of:**

- b) Films – Indoors  
c) Indoor Sporting Events  
d) Live Music – Indoors  
e) Recorded Music – Indoors

**The times the Certificate authorises the carrying out of qualifying Club activities**

- a) The supply of alcohol by or on behalf of the club to, or the order of, a member and guest of a member of the club for consumption on the premises.

**Monday to Thursday Inclusive 12:00 to 23:30  
Friday and Saturday Inclusive 12:00 to 00:00  
Sunday 12:00 to 22:30**

**Non Standard Timings**

**New Years Eve 12:00 to 01:30  
Christmas Eve and Boxing Day 12:00 to 00:00**

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- e) Recorded Music – Indoors

**Monday to Thursday Inclusive 12:00 to 23:30  
Friday and Saturday Inclusive 12:00 to 00:00  
Sunday 12:00 to 22:30**

**The opening hours of the Club**

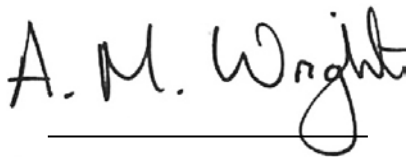
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**Friday and Saturday Inclusive 12:00 to 00:30**  
**Sunday 12:00 to 23:00**

**Non Standard Timings**

**New Years Eve 12:00 to 02:00**  
**Christmas Eve and Boxing Day 12:00 to 00:30**

**Where the Certificate authorises supplies of alcohol whether these are on and / or off supplies**

**On supplies only**



Corporate Director

3<sup>rd</sup> October 2005

Date Granted

27<sup>th</sup> March 2014

Date of Issue

## **Annex 1 – Mandatory Conditions**

### **Exhibition of films**

- 1. Where a club premises certificate authorises the exhibition of films, the certificate must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section:**

**Where the film classification body is specified in the certificate, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.**

**Where-**

- (a) The film classification body is not specified in the certificate, or**
- (b) The relevant licensing authority has notified the holder of the certificate that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.**

**In this section-**

**‘children’ means persons aged under 18; and  
‘film classification body’ means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984  
(c.39)(authority to determine suitability of video works for clarification).**

### **Irresponsible promotions**

- 2. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.**
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:**
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:**
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or**
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise)**

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
  4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

#### **Age verification policy**

5. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

#### **Alcoholic drink measures**

6. The responsible person shall ensure that:
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale

**or supply in a securely closed container) it is available to customers in the following measures–**

**(i) beer or cider: ½ pint**

**(ii) gin, rum, vodka or whisky: 25 ml or 35 ml**

**(iii) still wine in a glass: 125 ml**

**(b) customers are made aware of the availability of these measures.**

## **Annex 2 – Conditions consistent with the operating Schedule**

### **GENERAL**

- 1. The Committee shall ensure that the outside areas of the premises are lit when in use and the lighting suitably maintained.**

### **THE PREVENTION OF CRIME AND DISORDER**

- 2. Admission to the club premises shall be restricted to members and bona fide guests.**
- 3. Persons who behave in a drunk or disorderly manner shall be refused the supply of alcohol.**
- 4. Any incidences of misconduct shall be reported to the committee to consider action under the club's disciplinary code.**

### **PUBLIC SAFETY**

- 5. Suitable preventative and control measures shall be put in place and reviewed regularly to ensure the safety of members, guests, employees and entertainers whilst on the premises.**
- 6. The Committee shall comply with any current capacity limits.**
- 7. All emergency escape routes shall be clearly signposted.**

### **THE PREVENTION OF PUBLIC NUISANCE**

- 8. Clear, legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.**
- 9. When live or recorded music is played all reasonable steps shall be taken to avoid disturbance to neighbouring properties.**

### **THE PROTECTION OF CHILDREN FROM HARM**

- 10. Children under the age of 18 shall only be permitted on the premises when accompanied by an adult member.**
- 11. Accompanied children may be admitted to the snooker or pool room.**
- 12. Young adults applying for membership shall satisfy the Committee that they are over the age of 18.**
- 13. Children and grandchildren of members and guests may attend a private party in the function room only when accompanied by an adult.**
- 14. Clear, legible signage shall be displayed at the bar prohibiting the sale of alcohol to children.**



**Annex 3 – Conditions attached after a hearing by the Licensing Authority**

**None**

# Annex 4 - Plans



**HEARING PROCEDURE FOR PREMISES LICENCES/CLUB PREMISES CERTIFICATES  
WHERE APPLICANT AND OBJECTORS ARE PRESENT**

**1. Welcome and Introduction**

- [1] The Chairman welcomes the people who are present and introduces the Members. He/she will ask the Members to confirm that they have no declarations of interest to declare in respect of the application.
- [2] The Chairman asks the Applicant to introduce himself/herself and then asks the Objectors to introduce himself/herself/themselves.
- [3] The Chairman then confirms that the hearing will be conducted in accordance with this procedure. If any party wishes to rely upon any evidence that has not been disclosed prior to the hearing, they must ask for the Chairman's permission at this point.

**2. The Applicant's Case**

- [1] The Chairman asks the Applicant or his/her representative to present his/her application for a licence.
- [2] The Applicant or his/her representative may then call any witnesses and/or give evidence in support of his/her application.
- [3] The Objector[s] or their spokesperson may then question the Applicant [if he has given evidence] and any witnesses.
- [4] The Chairman or any Member of the Sub-Committee may ask questions of the Applicant and any witnesses.
- [5] If there are any witnesses, the Applicant or his representative will then be given a final opportunity of asking any further questions of the witnesses to clear up any points raised in the earlier questioning.

**3. The Objector[s] Case**

- [1] The Objector[s] will give their reasons for objecting to the application.
- [2] The Objector[s] or their representative will then call any witnesses in support of their objection.
- [3] The Applicant or his representative may then question the Objector[s] [if they have given evidence] and any witnesses.

- [4] The Chairman or any Member of the Sub-Committee may ask questions of the Objector[s] and any witnesses.
- [5] If there are any witnesses, the Objector[s] or their representative will then be given a final opportunity of asking any further questions of the witnesses to clear up any points raised in the earlier questioning.

#### **4. Closing Statements**

- [1] By or on behalf of the Objectors. The Objectors may summarise any points they wish to make and comment briefly on the Applicant's replies to questions. They cannot introduce new issues.
- [2] By or on behalf of the Applicant. The Applicant or his/her representative may summarise any points they wish to make and comment briefly on the Objector's replies to questions. They cannot introduce new issues.
- [3] The Chairman will then ask the Legal Adviser whether there are any other matters to be raised or resolved before the hearing is adjourned. The Sub-Committee will then retire to a separate room with the Legal Adviser and Member Services Officer to deliberate.
- [4] If the Legal Adviser gives legal advice to Members during the period of adjournment this advice will be repeated in summary form when the hearing reconvenes.

#### **5. Decision**

- [1] The Chairman will then announce the Sub-Committee's decision and ask the Legal Adviser to read out the details including the reasons.
- [2] Before closing the hearing, the Chairman will notify the Applicant and the Objector[s] of the rights of appeal available to the parties should they disagree with the decision. Such appeal should be made within 21 days of receiving written notification of the Sub-Committee's decision.